

Town and County of Nantucket Select Board • County Commissioners

Dawn E. Hill Holdgate, Chair
Jason Bridges
Matt Fee
Kristie L. Ferrantella
Melissa Murphy



16 Broad Street
Nantucket, Massachusetts 02554

Telephone (508) 228-7255
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www.nantucket-ma.gov

C. Elizabeth Gibson
Town & County Manager

AGENDA FOR THE MEETING OF THE SELECT BOARD AUGUST 5, 2020 - 5:00 PM REMOTE PARTICIPATION VIA ZOOM WEBINAR PURSUANT TO GOVERNOR BAKER'S MARCH 12, 2020 ORDER REGARDING OPEN MEETING LAW NANTUCKET, MASSACHUSETTS

YOU TUBE LINK:

<https://youtu.be/rxPW06iwJmw>

I. CALL TO ORDER

II. SELECT BOARD ACCEPTANCE OF AGENDA

III. ANNOUNCEMENTS

1. The Select Board Meeting is Being Audio/Video Recorded.
2. Census Complete Count Committee Notice: 2020 Census is Ongoing and of Vital Importance to Nantucket.

IV. COVID-19 WEEKLY UPDATE

1. Select Board Comments/Questions
- Public Comment
2. Report(s) from Public Health Director:
- COVID19 Case Metrics
- Other
- Select Board Comments/Questions
- Public Comment
3. Report(s) from Licensing Administrator:
- Request for Partial Closure of India Street and Portion of Federal Street
- Request for 15-Minute Parking Space on India Street for Atheneum Curbside Pickup
- Enforcement

- Other
 - Select Board Comments/Questions
 - Public Comment
4. Emergency Orders/Board of Health Actions - Status
 - Local Board of Health/Select Board Joint Emergency Rule and Order No. 11 (Outdoor Dining at Restaurants)
 - Local Board of Health Emergency Order No. 12 (Mandatory Face Covering)
 - July 30, 2020 Board of Health Vote Regarding Restaurant/Food Service Establishment Hours and Closures
 - Status of Reopening Massachusetts
 - Select Board Comments/Questions
 - Public Comment
 5. Public Information and Town Services Update
 - Outreach update
 - Town offices/public closure status
 - Select Board Comments/Questions
 - Public Comment

V. PUBLIC COMMENT* FOR ITEMS NOT RELATED TO COVID-19 OR OTHER AGENDA ITEMS

VI. NEW BUSINESS*

VII. APPROVAL OF MINUTES, WARRANTS AND PENDING CONTRACTS

1. Approval of Minutes of July 16, 2020 at 5:00 PM; July 20, 2020 at 4:00 PM.
2. Approval of Payroll Warrants for July 26, 2020.
3. Approval of Treasury Warrants for July 29, 2020; August 5, 2020.
4. Approval of Pending Contracts from August 5, 2020 - as Set Forth on the Spreadsheet Identified as Exhibit 1, Which Exhibit is Incorporated Herein by Reference.

VIII. CONSENT ITEMS

1. Gift Acceptances: Fire Department.
2. Resignation Acceptance: Historic District Commission Associate.

IX. CITIZEN/DEPARTMENTAL REQUESTS

1. Town Clerk: Request for Approval Warrant for Tuesday, September 1, 2020 State Election Primary.
2. Victor-Brandon Corp.: Request for Waiver of Town Noise Bylaw to Allow Installation of Road Striping/Markings on Milestone Road the Nights of Thursday, August 20, 2020 and Friday, August 21, 2020.

3. Anderson & Kreiger LLP: Request for Consent to Represent ACK Now Regarding Regulation of Short-Term Rentals.
4. Habitat for Humanity: Request for Waiver of Sewer Connection Permit Fees and Sewer Capacity Fees for Duplex at 31 Beach Grass Road.
5. Sandy Pedals Bike Share: Review Status of Proposal; Request for Approval of Locations on Town Property and/or Memorandum of Understanding/License for Use of Town Property.

X. COMMITTEE REPORTS

1. Affordable Housing Trust: Review of Final Draft Request for Proposals Document for Neighborhood First Program Dispersed Site Real Estate Purchases and Development/Request for Select Board Comments.
2. Coastal Resilience Advisory Committee: Revised Interim Recommendation to Accommodate National Oceanic and Atmospheric Administration (NOAA) Sea Level Rise Scenario for Certain Town Projects (Continued from 15 July 2020).

XI. TOWN MANAGER'S REPORT

1. Town Management Activity Report.

XII. SELECT BOARD'S REPORTS/COMMENT

1. Review/Discussion of Committee/Board/Commission Appointment Process; Adoption of Formalized Process.
2. Continuation of Discussion/Update as to Racial Equity/Race Relations Task Force/Community Forum.
3. Committee Reports.

XIII. ADJOURNMENT

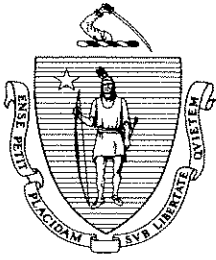
****Identified on Agenda Protocol Sheet***

Select Board Agenda Protocol:

- *Roberts Rules: The Select Board follows Roberts Rules of Order to govern its meetings as per the Town Code and Charter.*
- *Public Comment: For bringing matters of public interest to the attention of the Board. The Board welcomes concise statements on matters that are within the purview of the Select Board. At the Board's discretion, matters raised under Public Comment may be directed to Town Administration or may be placed on a future agenda, allowing all viewpoints to be represented before the Board takes action. Except in emergencies, the Board will not normally take any other action on Public Comment. Any personal remarks or interrogation or any matter that appears on the regular agenda are not appropriate for Public Comment.*

Public Comment is not to be used to present charges or complaints against any specifically named individual, public or private; instead, all such charges or complaints should be presented in writing to the Town Manager who can then give notice and an opportunity to be heard to the named individual as per MGL Ch. 39, s 23B.

- *New Business: For topics not reasonably anticipated 48 hours in advance of the meeting.*
- *Public Participation: The Board welcomes valuable input from the public at appropriate times during the meeting with recognition by the Chair. For appropriate agenda items, the Chair will introduce the item and take public input. Individual Board Members may have questions on the clarity of information presented. The Board will hear any staff input and then deliberate on a course of action.*
- *Select Board Report and Comment: Individual Board Members may have matters to bring to the attention of the Board. If the matter contemplates action by the Board, Board Members will consult with the Chair and/or Town Manager in advance and provide any needed information by the Thursday before the meeting. Otherwise, except in emergencies, the Board will not normally take action on Select Board Comment.*



OFFICE OF THE GOVERNOR
COMMONWEALTH OF MASSACHUSETTS
STATE HOUSE • BOSTON, MA 02133
(617) 725-4000

CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

**ORDER SUSPENDING CERTAIN PROVISIONS
OF THE OPEN MEETING LAW, G. L. c. 30A, § 20**

WHEREAS, on March 10, 2020, I, Charles D. Baker, Governor of the Commonwealth of Massachusetts, acting pursuant to the powers provided by Chapter 639 of the Acts of 1950 and Section 2A of Chapter 17 of the General Laws, declared that there now exists in the Commonwealth of Massachusetts a state of emergency due to the outbreak of the 2019 novel Coronavirus (“COVID-19”); and

WHEREAS, many important functions of State and Local Government are executed by “public bodies,” as that term is defined in G. L. c. 30A, § 18, in meetings that are open to the public, consistent with the requirements of law and sound public policy and in order to ensure active public engagement with, contribution to, and oversight of the functions of government; and

WHEREAS, both the Federal Centers for Disease Control and Prevention (“CDC”) and the Massachusetts Department of Public Health (“DPH”) have advised residents to take extra measures to put distance between themselves and other people to further reduce the risk of being exposed to COVID-19. Additionally, the CDC and DPH have advised high-risk individuals, including people over the age of 60, anyone with underlying health conditions or a weakened immune system, and pregnant women, to avoid large gatherings.

WHEREAS, sections 7, 8, and 8A of Chapter 639 of the Acts of 1950 authorize the Governor, during the effective period of a declared emergency, to exercise authority over public assemblages as necessary to protect the health and safety of persons; and

WHEREAS, low-cost telephone, social media, and other internet-based technologies are currently available that will permit the convening of a public body through virtual means and allow real-time public access to the activities of the public body; and

WHEREAS section 20 of chapter 30A and implementing regulations issued by the Attorney General currently authorize remote participation by members of a public body, subject to certain limitations;

NOW THEREFORE, I hereby order the following:

(1) A public body, as defined in section 18 of chapter 30A of the General Laws, is hereby relieved from the requirement of section 20 of chapter 30A that it conduct its meetings in a public place that is open and physically accessible to the public, provided that the public body makes provision to ensure public access to the deliberations of the public body for interested members of the public through adequate, alternative means.

Adequate, alternative means of public access shall mean measures that provide transparency and permit timely and effective public access to the deliberations of the public body. Such means may include, without limitation, providing public access through telephone, internet, or satellite enabled audio or video conferencing or any other technology that enables the public to clearly follow the proceedings of the public body while those activities are occurring. Where allowance for active, real-time participation by members of the public is a specific requirement of a general or special law or regulation, or a local ordinance or by-law, pursuant to which the proceeding is conducted, any alternative means of public access must provide for such participation.

A municipal public body that for reasons of economic hardship and despite best efforts is unable to provide alternative means of public access that will enable the public to follow the proceedings of the municipal public body as those activities are occurring in real time may instead post on its municipal website a full and complete transcript, recording, or other comprehensive record of the proceedings as soon as practicable upon conclusion of the proceedings. This paragraph shall not apply to proceedings that are conducted pursuant to a general or special law or regulation, or a local ordinance or by-law, that requires allowance for active participation by members of the public.

A public body must offer its selected alternative means of access to its proceedings without subscription, toll, or similar charge to the public.

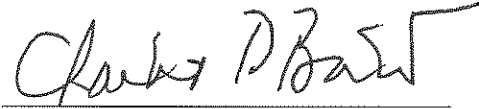
(2) Public bodies are hereby authorized to allow remote participation by all members in any meeting of the public body. The requirement that a quorum of the body and the chair be physically present at a specified meeting location, as provided in G. L. c. 30A, § 20(d) and in 940 CMR 29.10(4)(b), is hereby suspended.

(3) A public body that elects to conduct its proceedings under the relief provided in sections (1) or (2) above shall ensure that any party entitled or required to appear before it shall be able to do so through remote means, as if the party were a member of the public body and participating remotely as provided in section (2).

(4) All other provisions of sections 18 to 25 of chapter 30A and the Attorney General's implementing regulations shall otherwise remain unchanged and fully applicable to the activities of public bodies.

This Order is effective immediately and shall remain in effect until rescinded or until the State of Emergency is terminated, whichever happens first.

Given in Boston at 8:40 PM this 12th day of
March, two thousand and twenty.

A handwritten signature in dark ink, appearing to read "Charles D. Baker". The signature is written in a cursive style with a large, stylized "C" and "B".

CHARLES D. BAKER
GOVERNOR
Commonwealth of Massachusetts



Nantucket's Census Complete Count Committee recognizes that our community's health and safety are the most pressing concerns during this unprecedented time, and that communication about public health takes priority. However, the 2020 Census is ongoing - and vitally important for Nantucket's future.

It's never been easier to get counted, and to count everyone who lives at your address. You can use your smartphone, tablet, or computer to do so online, you can do so over the phone in 13 languages, or you can complete and return the Census questionnaire that may have been delivered to your home by now. (You do not need a form to respond online or by phone, however!)

The US Census takes place once every ten years and is mandated by the Constitution. Statistics from responses are used to make decisions about federal funding for community services that we rely on every day: health care (including Medicaid, Medicare, and the Children's Health Insurance Program), schools, food assistance, housing, emergency services, senior programs, and more. An accurate count ensures that Nantucket gets its share, as funding levels that are determined as a result of the 2020 Census will be in place for our community for the next ten years!

Please get counted, and encourage friends, colleagues, and family members to do so at 2020census.gov. Choose your language and click on the "Respond" button to take the Census. It's safe, quick, easy - and individual data is protected by federal law. Your information cannot be shared with any federal, state, or local agency for any reason. There is NO citizenship question on the Census, and everyone is asked to participate. We ALL count for Nantucket!

In an effort to "get out the count" on Nantucket we've started posting information on Facebook, via the Community Foundation for Nantucket's page. Please [visit the foundation's page](#) so you can see and - very importantly - share these posts on your own personal and organizational pages! You'll recognize some faces, and can learn a lot about why an accurate count is important. If Facebook isn't your thing, please share the information on Instagram or Twitter - or even by email.

Please get counted and help shape Nantucket's future!

COVID-19 Report to Select Board

8/5/2020



Testing

of Total PCR tests to date (8/5 AM) = 4,315 (including OIH & Sherburne)

PCR tests using Self-pay/Work-pay option (CastNet) = 1,566

PCR tests covered by Town funding (the \$100k) = 298 (those tested met the criteria for grant funding)

Regularly testing 80-100 per day

Overview

- Over the passed week we have continued to see a rise in cases due to individual pockets of people coming to the island pre-symptomatic, and showing symptoms here.
- All but 1 of the cases from the last 7 days had already left the island by the time contact tracing began.
- Contact tracing is in progress

Metrics

Indicator ▲	Measure	Status
1	COVID-19 positive test rate	●
2	Number of individuals who died from COVID-19	●
3	Number of patients with COVID-19 in hospitals	●
4	Healthcare system readiness	●
5	Testing capacity	●
6	Contact tracing capabilities	●

Legend

- Positive trend
- In progress
- Negative trend

Metrics (continued)

- **COVID-19 positive test rate** – Want to keep this number below 10%. Currently at 0.97% of total (41 out of 4210). And 0% of 8/3 testing. 0.18% of 7 day average (1 out of 559 tests)
- **Number of individuals who died from COVID-19** – Keep below 5% of cases. Currently 2.44% (1 out of 41) of cases but 0.024% of those tested
- **Number of patients with COVID-19 in hospitals** – Keep below 10. Currently 0
- **Healthcare system readiness** – Qualitative response. Currently “Yes”
- **Testing capacity** – Qualitative. Ability to keep up with demand. Currently, “yes”
- **Contact tracing capabilities** – Qualitative. Ability to keep up with demand. Currently “Yes”
- **Sewer Predictive Incidence** – Keep below 5%. Monitor for spikes. Currently 0% (7/26 sample)

Privacy

- **Health Insurance Portability and Accountability Act (HIPAA)**
 - Organized into 5 sections (Titles)
 - Title II establishes policies and procedures for maintaining privacy and security of individually identifiable health information
 - Almost all medical information is covered by the “Privacy Rule” which is located in 45 CFR 164 subparts A through E

Privacy

- **Privacy Rule**

- Subpart A explicitly states that Protected Health Information (PHI) cannot be disclosed without express written permission from the patient
- Under certain exemptions PHI can be disclosed without permission to other business (insurance) or government (PD, HHS) under specific exemptions (i.e. child abuse/neglect, outbreak control)
- When disclosures are necessary only the minimum information required to achieve a purpose should be disclosed.
 - Ex. PD only needs to be informed of child abuse, not if that child has asthma or eczema, as this is not necessary information.

Privacy

- **Privacy Rule**

- A person has the right to their own information, but not the information of others, including relatives without written permission.
- Training on HIPAA is available through HHS at <https://www.hhs.gov/hipaa/for-professionals/training/index.html>

Next Steps

- BOH meeting on Friday
 - 11pm closures review
 - Enforcement review
- Maintain vigilance



Nantucket Back to Business Workgroup

Outdoor Dining/Street and Sidewalk Closures

Report to the Select Board, August 5, 2020



Outdoor Dining/Street and Sidewalk Closures

Application:

Application received to allow for expansion of Dining into public streets as follows:

- Proprietors @ 9 India Street
 - No existing outdoor space
 - Previous application for tables on the adjacent property with the approval of the owner – The Roberts House Inn. Approximately 6 tables.
 - Expansion could add up to 8 additional tables
- Company of the Cauldron @ 5 India Street
 - Existing small back patio
 - Expansion could add up to 4 additional tables.
- Boarding House/The Pearl @ 12 Federal Street
 - Existing Patio at both buildings
 - Previous application for sidewalk dining. Approximately 8 tables.
 - Expansion could add up to 6 additional tables

Partial Street Closure: India between Centre & Federal

- Closure on Left Side of Street
- Traffic Flow shift to Right Side of one-way street
- Removes 8-10 One Hour Parking Spaces
- Loading Zone Shift to opposite side
- Restaurants: Proprietors and Company of the Cauldron



Parking Lane Closure: **Federal at India**

- Remove up to 3 parking spaces
- Restaurants: Boarding House/The Pearl



Nantucket, Massachusetts
Google
Street View

Dining Tables Surrounded by
Cement Barriers. 3 Spaces
removed - does not include
Handicap space at top of
intersection.
Restaurant: Boarding House/Pearl

From: [Ann Scott](#)
To: [Rachel K. Day](#)
Cc: [Amy Baxter](#)
Subject: Re: 15min parking spot request
Date: Monday, July 27, 2020 2:06:41 PM

Yes thank you, that is correct. Amy please let me know of any other information that would be helpful.

From: Rachel K. Day <rkday@nantucket-ma.gov>
Sent: Monday, July 27, 2020 2:03:04 PM
To: Ann Scott <ascott@nantucketatheneum.org>
Cc: Amy Baxter <aBaxter@police.nantucket-ma.gov>
Subject: 15min parking spot request

Good afternoon Ann,

I received your voicemail asking if there was a way to provide for a 15 minute parking spot in front of the Atheneum for curbside pickup for the library. At the next Select Board meeting, Amy Baxter will be providing an update and a separate request related to India Street and can add this to the request for review and approval by the Board. I am copying Amy here if you or she has additional questions related to your request.

I assume you are looking to have the first parking spot in front of the Atheneum on India/corner of Federal as the location for ease of pulling in and out.

*Rachel K. Day
Town of Nantucket
(508) 228-7200 ext. 7330*

Please be advised that under MA Public Records Law, <http://www.sec.state.ma.us/pre/preidx.htm>, email messages and attachments sent from and to this email account may qualify as public record(s) unless qualified as an exemption under the law.

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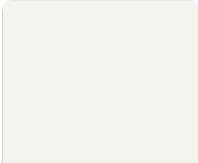


Image capture: Nov 2019 © 2020 Google

Nantucket, Massachusetts



Street View



EMERGENCY ORDERS (links)

- Local Board of Health/Select Board Joint Emergency Rule and Order No. 11 (Outdoor Dining at Restaurants)

<https://nantucket-ma.gov/DocumentCenter/View/36599/Emergency-Order-No-11-Joint-BOH-SB-PDF>

- Local Board of Health Emergency Order No. 12 (Mandatory Face Covering)

[file:///C:/Users/emooney/Downloads/Board%20of%20Health%20Order%20No%2012%20-%20Face%20Covering%2006292020%20\(2\).pdf](file:///C:/Users/emooney/Downloads/Board%20of%20Health%20Order%20No%2012%20-%20Face%20Covering%2006292020%20(2).pdf)

- Status of Reopening Massachusetts

<https://www.mass.gov/info-details/reopening-massachusetts>

From: [Gregg J. Corbo](#)
To: [Erika Mooney](#)
Cc: [John Giorgio](#); [Libby Gibson](#)
Subject: RE: Your motion(s)
Date: Thursday, July 30, 2020 4:02:16 PM

I move that the Board order that all restaurants that offer alcoholic beverages for on-premises consumption shall have last call by 11:30 pm and shall close and remove all customers by 12:00 midnight;

It is further ordered that all such restaurants shall not serve alcoholic beverages to any person who does not also order food;

This order shall not apply to restaurants that do not sell alcohol for on-premises consumption or take-out only; provided that Town staff is directed to strictly enforce social distance and mask requirements and the restaurants are required to require customers to comply with such requirements and the Board will revisit this issue at its next meeting in one week.

Gregg J. Corbo, Esq.

KP | LAW

101 Arch Street, 12th Floor
Boston, MA 02110
O: (617) 654-1764
F: (617) 654 1735
gcorbo@k-plaw.com
www.k-plaw.com

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From: Erika Mooney <EMooney@nantucket-ma.gov>
Sent: Thursday, July 30, 2020 3:56 PM
To: Gregg J. Corbo <GCorbo@k-plaw.com>
Subject: Your motion(s)

Can you please email them to me?

Erika

Erika D. Mooney
Operations Administrator
Town of Nantucket
16 Broad Street
Nantucket MA 02554
508-228-7266
508-228-7272 Fax



*Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3
Chelsea, Massachusetts 02150*

Jean M. Lorizio, Esq.
Chairman

ALCOHOLIC BEVERAGES CONTROL COMMISSION ADVISORY
REGARDING ON-PREMISES LICENSEES SELLING MIXED DRINKS
FOR OFF-PREMISES CONSUMPTION

On July 20, 2020, Governor Charlie Baker signed a bill authorizing on-premises licensees to sell mixed drinks for off-premises consumption for the duration of the Governor's declared state of emergency or until February 28, 2021, whichever comes later.¹

Effective immediately and until the end of the state of emergency or February 28, 2021, whichever comes later, all on-premises licensees licensed for the sale of all alcoholic beverages or wine, malt, and cordials,² may sell mixed drinks for off-premises consumption subject to the following conditions:

- 1) the mixed drink must be of the same distilled spirits proportions as if it was prepared for on-premises consumption;
- 2) the mixed drink shall be sold in a sealed container, meaning:
 - a) a packaged container with a secure lid or cap designed to prevent consumption without removal of the lid or cap;
 - b) if the packaged container has a lid with sipping holes or an opening for straws, the container shall be covered or affixed with an additional seal;
 - c) the lid, cap or seal shall be affixed in such a way as to prevent reopening without it being obvious that the lid, cap or seal was removed or broken; and
 - d) affixing the cap may be completed by the use of tape or other sticking adhesive before sale;

¹ The text of the bill and amendment can be found [HERE](#). The Governor's March 10, 2020, declaration of a state of emergency can be found [HERE](#).

² This includes § 12 bars, restaurants, general on premises, hotels, taverns, clubs, war veterans' clubs, and continuing care retirement communities, § 19E(o) farmer-distilleries with pouring permits; and all-alcohol § 19(b) manufacturers with pouring permits. The bill does not apply to licensees authorized to sell wine and malt beverages only.

- 3) each customer shall be limited to not more than 64 fluid ounces of mixed drinks per transaction;
- 4) if the mixed drink is to be transported by a motor vehicle, either by delivery or pick-up, the driver of the motor vehicle shall transport the mixed drink in the trunk of the motor vehicle or in some other area that is not considered the passenger area as defined in section 24I of chapter 90 of the General Laws.

The sale of mixed drinks may only be done from opening until 12:00 am midnight, or the licensee's closing time previously approved by the Local Licensing Authority, whichever is earlier. All licensees must verify that both the purchaser and recipient of alcohol are at least 21 years old.

Sales must be made as part of a takeout order by way of pickup, including curbside pickup, and delivery. Licensees do not need to obtain a separate transportation permit under M.G.L. c. 138, § 22, in order to make deliveries. Licensees are advised to check with their Local Licensing Authority on any additional requirements in order to sell alcohol for curbside pickup.

All sales must be accompanied by a receipt reflecting the purchase of food along with alcohol, and licensees must keep copies of all receipts for inspection by licensing authorities.

This Advisory should be read in conjunction with the April 3, 2020, Advisory Regarding On-Premises Licensees Selling for Off-Premises Consumption, which can be found [HERE](#).

As always, all licensees must ensure that they comply with the laws of the Commonwealth of Massachusetts, and that sales of alcoholic beverages take place only as authorized by federal, state, and local law. All questions should be directed to the ABCC Executive Director Ralph Sacramone at rsacramone@tre.state.ma.us or (617) 727-3040 x 731.

(Issued July 21, 2020)

EXHIBIT 1
AGREEMENTS TO BE EXECUTED BY TOWN MANAGER
UNLESS RESOLUTION OF DISAPPROVAL BY SELECT BOARD
August 5, 2020

Type of Agreement/Description	Department	With	Amount	Other Information	Source of Funding	Term
Purchase Agreement	Our Island Home	ElectraMed Corp.	\$26,394.26	Contract for purchase of mobile lifts for OIH	State CARES Act Nursing Home Funding	August 5, 2020 - December 31, 2020
Professional Service Agreement	IS/GIS	Tyler Technologies	\$161,108.98	Contract for annual MUNIS support and disaster recovery services	IS/GIS Budget	July 1, 2020 - June 30, 2021
Professional Service Agreement	IS/GIS	CivicPlus	\$6,780.06	Contract for annual Town website hosting, support and data storage	IS/GIS Budget	July 1, 2020 - June 30, 2021
Professional Service Agreement	IS/GIS	Tyler Technologies	\$34,833.59	Contract for annual EnerGov e-permitting support & maintenance	IS/GIS Budget	July 1, 2020 - June 30, 2021
Amendment to Professional Service Agreement	IS/GIS	Tyler Technologies	n/a	Extend current contract for EnerGov e-permitting implementation to provide continued support through project completion	n/a	July 1, 2020 - June 30, 2021
Purchase Agreement	Marine	Nantucket Community Sailing, Inc.	\$75,000	Contract for purchase of surplus steel building for use at Harbor Master layup yard and workshop	Article 10/2019 ATM	August 5, 2020 - June 30, 2021
Professional Service Agreement	DPW	Cape Cod Builders	\$95,990	Contract for roof replacement at 39 Washington St. employee housing	Article 10/2019 ATM	August 5, 2020 - June 30, 2021

CONSENT AGENDA ITEMS FOR 8/5/2020 SELECT BOARD MEETING

1. Gift Acceptances

Recommend the acceptance of the following gifts to Town agencies:

- Fire Dept:
 - Gift of \$50 from Thomas & Kathleen Cahill for Fire Prevention Initiatives

Recommended Motion: To accept all gifts for their designated purposes, with thanks to the donors.

Town Administration will ensure that letters of thanks are sent.

Nantucket Fire
Department
4 Fairgrounds Road
Nantucket, MA 02554
Tel: (508) 228-2324
Fax: (508) 325-7500



July 15, 2020

BOARD OF SELECTMAN
16 BROAD ST
NANTUCKET, MA 02554

Re: Cahill, Thomas and Kathleen
Safe Grant Donation

To whom it may concern:

Mr. and Mrs. Cahill have made a generous donation of \$50.00 to fund the initiatives lead by Sean Mitchell, FPO. We are requesting that the board of selectman authorize the transfer of this donation to the Safe Grant Account.

Please let us know if you have any questions or need anything further.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen Murphy".

Stephen Murphy, Chief

SM/
Enclosures

THOMAS M CAHILL
KATHLEEN C CAHILL
82 PLEASANT ST.
NANTUCKET, MA 02554

53-7107/2113

770

DATE 7-3-2020

PMP

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PAY TO
THE ORDER OF

Nantucket Fire Dept

Fifty

\$ 50.00

no / 100

DOLLARS



Heat
Reactive
Ink

CAPE
COD 5

PO Box 10
Orleans, MA 02653
capecodfive.com

MEMO

donation

Kathleen C Cahill

MP

⑆ 211371078 ⑆

85 70037011 00770

LOOK FOR FRAUD-DETECTING FEATURES INCLUDING THE SECURITY SQUARE AND HEAT-REACTIVE INK. DETAILS ON BACK.

Erika Mooney

From: tjw@conceptdesignplan.com
Sent: Wednesday, July 29, 2020 8:20 AM
To: Erika Mooney
Subject: Resignation from HDC Position

Erika,

I have enjoyed serving on the HDC for the last three years. However, due to circumstances in my personal and work life, I find that the commitment is too much to facilitate at this time.

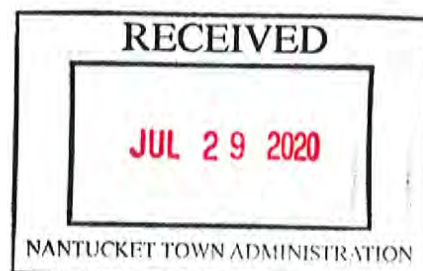
While the experience has been rewarding in many ways, I reluctantly step down from my position. Please accept this letter as my resignation, so that you may seek another candidate.

Best regards to You, the Selectboard, and the HDC.

Sincerely,

Tj Watterson II
Concept Design, LLC
33 ½ Vesper Lane
Nantucket, MA 02554
508 221 3009

This email was scanned by Bitdefender



Historic District Commission Associates

TJ Watterson	Associate	2021
Stephen Welch	Associate	2022
Jesse Dutra	Associate	2023

COMMONWEALTH OF MASSACHUSETTS

WILLIAM FRANCIS GALVIN
SECRETARY OF THE COMMONWEALTH

WARRANT FOR 2020 STATE PRIMARY

SS.

To the Constables of the Town of _____ NANTUCKET _____

GREETINGS:

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of said town who are qualified to vote in Primaries to vote at:

_____ NANTUCKET – 0/1 _____

_____ NANTUCKET HIGH SCHOOL, 10 SURFSIDE ROAD _____

on **TUESDAY, THE FIRST DAY OF SEPTEMBER, 2020**, from **7:00 A.M. to 8:00 P.M.** for the following purpose:

To cast their votes in the State Primaries for the candidates of political parties for the following offices:

SENATOR IN CONGRESS.....	FOR THIS COMMONWEALTH
REPRESENTATIVE IN CONGRESS.....	NINTH DISTRICT
COUNCILLOR.....	FIRST DISTRICT
SENATOR IN GENERAL COURT.....	CAPE & ISLANDS DISTRICT
REPRESENTATIVE IN GENERAL COURT.....	BARNSTABLE, DUKES & NANTUCKET DISTRICT
REGISTER OF PROBATE.	____ NANTUCKET COUNTY

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting.

Given under our hands this _____ day of _AUGUST, 2020.

Select Board of: NANTUCKET

(Indicate method of service of warrant.)

_____, 2020.
Constable (month and day)

From: [Lauren Houle](#)
To: [Robert McNeil](#); [Erika Mooney](#); [Libby Gibson](#)
Cc: [Mike Z Mass Dot](#); [Michael P. Broderick](#); [Victor Petkauskos](#)
Subject: Milestone Rd
Date: Monday, July 27, 2020 10:24:35 AM

Hi there,

I hope you all had a nice weekend. As you know, we are fast approaching the completion of our MassDOT roadwork on Milestone. One of the remaining tasks is project wide road striping/markings.

Markings, Inc is prepared to begin work Thursday August 20th. Due to concerns about traffic delays and the scope of the work, Victor-Brandon respectfully requests permission for night work on Thursday 8/20 and Friday 8/21. Work would begin at the rotary and proceed towards Sconset. This would keep daytime traffic delays to a minimum, as well as allowing Markings to work at an uninterrupted pace. Victor-Brandon has received permission from the District.

Please give me a call with any questions. Have a nice day.

Sincerely-

Lauren Houle
Victor-Brandon Corp.
508-367-2699

This email was scanned by Bitdefender

From: [John Giorgio](#)
To: [Libby Gibson](#)
Cc: [Erika Mooney](#)
Subject: Airport Counsel's Request - Consent to Representation of Ack Now.
Date: Thursday, July 30, 2020 3:56:16 PM
Attachments: [Gatto AP request for Special Counsel 080519.pdf](#)
[ACK Now.msg](#)

Dear Libby;

The Town has received a request from Anderson & Krieger that the Select Board formally waive the potential conflict of interest that may arise with respect to the firm's representing ACK Now with respect to short-term rentals on the Island while, at the same time, continuing to represent the Town in the Gatto litigation.

In my opinion, the decision whether to waive the potential conflict is squarely within the discretion of the Select Board, and the Board is not required to articulate a reason for its decision.

Please let me know if you have any questions.

John

John W. Giorgio, Esq.

KP | LAW

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This email was scanned by Bitdefender

From: [Mina S. Makarious](#)
To: [John Giorgio](#)
Cc: [Nina Pickering-Cook](#)
Subject: ACK Now
Date: Monday, July 27, 2020 1:04:04 PM
Attachments: [image001.png](#)

John: As I mentioned on the phone, one of my partners, Nina Pickering-Cook, has been asked to represent ACK*Now on matters relating to regulation of short term rentals on the island. While that work for ACK*Now is not currently adverse to the Town of Nantucket, there may be a possibility of adversity in the future if there is a zoning challenge or the like. In addition to the relationship working on the PFAS matter, A&K also technically represents the Town in the *Gatto* eminent domain case. As you and I discussed, that representation is truly on behalf of the airport and representing the airports' interests through the Town.

But in order to make sure that all sides are aware of A&K's role with respect to representing the Town (in a nominal fashion only) in the *Gatto* case, we are asking for a formal waiver of that potential conflict from the Town by copy of this email. Specifically, this waiver is required by Mass. R. Prof. C. 1.7(b)(4). Rule 1.7 states:

(a) Except as provided in paragraph (b), a lawyer shall not represent a client if the representation involves a concurrent conflict of interest. A concurrent conflict of interest exists if:

- (1) the representation of one client will be directly adverse to another client; or
- (2) there is a significant risk that the representation of one or more clients will be materially limited by the lawyer's responsibilities to another client, a former client or a third person or by a personal interest of the lawyer.

(b) Notwithstanding the existence of a concurrent conflict of interest under paragraph (a), a lawyer may represent a client if:

- (1) the lawyer reasonably believes that the lawyer will be able to provide competent and diligent representation to each affected client;
- (2) the representation is not prohibited by law;
- (3) the representation does not involve the assertion of a claim by one client against another client represented by the lawyer in the same litigation or other proceeding before a tribunal; and
- (4) each affected client gives informed consent, confirmed in writing.

We believe, and I think you agree, that A&K will be able to proceed with the *Gatto* case unaffected by Nina's representation of ACK*Now. Different groups of lawyers would be working on these matters. And the representation is not prohibited by law. Can you please confirm the Town's consent?

Thanks,

Mina



Mina S. Makarious
T. 617.621.6525 | F. 617.621.6625
[Anderson & Kreiger LLP](#) | 50 Milk Street, 21st Floor, Boston, MA 02109

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Agenda Item Summary

Agenda Item #	IX. 4.
Date	8/5/2020

Staff

Tucker Holland, Municipal Housing Director

Subject

Request for Sewer Connection Fee and Sewer Permit Fee Waiver for Habitat duplex unit located at 31 Beach Grass Road

Executive Summary

In accordance with the Board's Sewer Waiver Policy, and in line with past practice, Habitat for Humanity is requesting a waiver of the Sewer Connection Fee and Sewer Privilege Fee in conjunction with the duplex lot they are developing at 31 Beach Grass Road. Both units will be permanently restricted to households earning 80% AMI or less. The completion of these two units will allow all future Habitat homes to be SHI-eligible.

Staff Recommendation

Approve the Sewer Connection Fee and Sewer Permit Fee Waivers for the duplex development, consistent with past practice.

Background/Discussion

This is simply a request in accordance with policy and past practice.

Impact: Environmental ☒ Fiscal ☐ Community ☒ Other ☐

Support of year-round and affordable housing.

Board/Commission Recommendation

N/A

Public Outreach

N/A

Connection to Existing Applicable Plan (i.e., Strategic Plan, Master Plan, etc.)

Strategic Plan – Housing, Environment

Attachments

- 1) Waiver request letter from Habitat for Humanity



- 2) Sewer Fee Waiver Policy (10/24/2018)
- 3) Sewer Fees
- 4) Sewer Fee waiver history





We build strength, stability, self-reliance and shelter.

July 29, 2020

Ms. Erika Mooney
Operations Administrator
Town of Nantucket
16 Broad Street
Nantucket, MA 02554

Dear Ms. Mooney:

I am writing on behalf of Nantucket's Habitat for Humanity, petitioning for a waiver of the Sewer Permit Application fees and the Sewer Capacity fees for our duplex Habitat homes located at 31 Beach Grass Road. In the past, the Sewer connection fees have been waived by The Select Board, and we are hopeful that we can secure the same waivers for these two homes.

As you may know, Habitat Nantucket strives to build simple, decent homes that are cost efficient and energy efficient for those numerous families on Nantucket that need affordable housing.

Funding for the purchase of the land and the majority of construction costs for these homes is by way of a grant from the Affordable Housing Trust.

Habitat homes carry deed restrictions which mandate that the homes be forever affordable, and that subsequent owners qualify in the same way as the original owners, by meeting income and residency requirements.

The waiver of these significant fees would be a major contribution to our efforts in keeping our building costs as low as possible.

Please contact me if I can provide any additional information. Many thanks for considering this request.

Sincerely,

A handwritten signature in blue ink that reads "R. J. Hussey".

Richard J. Hussey
Board Member, Habitat for Humanity Nantucket



TOWN & COUNTY OF NANTUCKET
BOARD OF SELECTMEN
POLICY FOR SEWER FEE WAIVER REQUESTS
Adopted: 07/20/2016; Revised 10/24/2018

I. Policy.

The Board of Selectmen, acting as the Nantucket Sewer Commission pursuant to Chapter 396 of the Acts of 2008, and in accordance with Chapter 38, Article III, section 38-3B of the Code of the Town of Nantucket, has the authority to waive any town fee or charge, upon a determination that the public interest so requires.

The Board of Selectmen hereby determines that it is in the public interest to encourage the production of affordable housing, including workforce housing units for the Island's working population. Therefore, the Board of Selectmen will consider, on a case-by-case basis, waivers of one or both of the Town's fees relating to the connection of dwelling units that are located in an existing Sewer District as established under Chapter 396 of the Acts of 2008.

II. Sewer Connection and Sewer Privilege Fee Waivers.

The Board of Selectmen may, at its discretion, waive the sewer connection fee or the sewer privilege fee upon the request of a property owner, developer, or public entity seeking to connect one or more dwelling units to the Town's sewer system if such unit or units are bound by a permanent affordable housing deed restriction in a form acceptable to the Town and enforceable by the Town, and provided that the dwelling unit or units are part of a project where a minimum of 25% of the units are eligible for inclusion on the Town's Subsidized Housing Inventory ("SHI") as maintained by DHCD or any successor agency and provided that the developer and/or unit owner shall cooperate fully with the Town in obtaining SHI status for the eligible unit or units by timely providing all required documentation and notifying the Town Manager when a building permit issues and when an occupancy permit issues.

In the case where less than all of the units in the project are income-restricted, the Select Board may waive up to 100% of both sewer fees where the unit is restricted at 80% AMI or less, up to 75% of both fees where the unit is restricted between 81% and 100% AMI, and up to 50% of both fees where the unit is restricted between 101% AMI and 150% AMI. In the case where all of the units in a project are income-restricted, 100% of both sewer fees may be waived as long as a minimum of 25% of the total number of units are SHI-eligible. In exercising its discretion, in applying the policy, the Select Board may consider the total value of Town subsidies for the project, including closing cost assistance, direct grants, land contribution by the Town, other fee waivers, and market rate sales in the project.

In the case of dwelling units that are subject to a permanent affordable housing covenant meeting the requirements of Chapter 301 of the Acts of 2002, and Chapter 100 of the Code of Nantucket, the Board of Selectmen may, in its discretion, waive all or a portion of the sewer connection fee.

ARTICLE II

Sewer User Fees

Purpose.

The purpose of this regulation is to establish a fair and equitable method of connecting with the Town of Nantucket Sewer System. The fees will be adjusted annually based on the cost of living or other appropriate index.

§ 336-10. Definitions.

RESIDENTIAL AND GENERAL COMMERCIAL USERS – All residential and commercial land use activities connected to the Nantucket Sewage System which introduce no more than the equivalent of 25,000 gallons per day of domestic sanitary wastes to the treatment works.

SPECIAL USERS – All land use activities connected to the Nantucket Sewage System which introduce more than the equivalent of 25,000 gallons per day of domestic sanitary wastes to the treatment works based on a combination of volume, strength and toxic waste factors.

§ 336-11. Sewer service connection fees.

The Nantucket Sewer System connection fees shall be as follows:

- A. Sewer permit application fees for new residential connections to the Nantucket Sewer System shall be as shown in Article II, Exhibit 1, Sewer Permit Application Fee Schedule and shall be subject to periodic reviews and adjustments as the Sewer Commission deems appropriate. Applications for Sewer Permits are per dwelling or dwelling unit.

Sewer permit application fees for any existing residential property connecting to the Nantucket Sewer System within the time frame established by the Board of Health shall be as shown in Article II, Exhibit 1 and shall be subject to periodic reviews and adjustments as the Sewer Commission deems appropriate. Applications for sewer permits are per dwelling, dwelling unit or any outbuilding with sanitary facilities

- B. For commercial establishments and licensed lodging establishments (hotels, motels, licensed inns and guest houses), the sewer service connection fee shall be as shown in Article II, Exhibit 1 and shall be subject to periodic reviews and adjustments as the Sewer Commission deems appropriate. Applications for sewer permits are per dwelling or dwelling unit.
- C. For mixed use developments, the residential connections will be subject to the fees established in subsection A and commercial connections will be subject to the fees established in Article II, Exhibit 1.
- D. Where multiple dwellings or dwelling units exist on a single property, a sewer permit fee, as defined herein, shall be assessed per dwelling or dwelling unit.
- E. For all residential dwellings, dwelling units, outbuildings with sanitary facilities and commercial establishments currently connected to the existing sewer system, no sewer service connection fee will be assessed; however, these existing connections are subject to the following fees as applicable shown in Article II, Exhibit 1 and shall be subject to periodic reviews and adjustments as the Sewer Commission deems appropriate. Applications for sewer permits are per dwelling or dwelling unit.

§ 336-12. Other fees and charges.

- A. The Sewer Commission shall enact other fees and charges in accordance with Article II, Exhibit 2.

§ 336-13. Sewer Capacity Fee.

The Sewer Capacity Fee (SCF) is established in addition to the Sewer Service Connection Fees and other fees and charges, as follows:

- A. Such fee applies to all properties that implement changes which, based on 310 CMR 15.203 [Article II, Exhibit 3], have the potential to increase flows into the Nantucket Sewer System including new developments or new properties connected to the sewer, as well as changes to existing properties connected to the sewer system.
- B. The minimum Sewer Capacity Fee for residential and non-residential users is calculated using the using the sewer flows established in 310 CMR 15.203 [Article II, Exhibit 3] and is described in detail in the Sewer Capacity Fee Policy [Article II, Exhibit 4].
- C. Payment of the Sewer Capacity Fee is required before issuance of a sewer connection permit. The property owner may pay the fee in full up front. The Town of Nantucket will also allow the fee payment to be apportioned over time on the property owner's tax bill as follows:
- (1) The property owner must pay at least 10% of the fee up front and sign a Voluntary Lien Agreement which gets recorded at the Registry of Deeds.
 - (2) The remaining amount must be paid in annual installments at a rate established by the Sewer Commission, for a period not to exceed twenty years.
- C. A schedule of residential SCFs is provided in Article II, Exhibit 5.

§ 336-14. Bills for sewage services.

- A. Rates for sewage services (base fee plus fee per unit of consumption for metered uses; and base fee plus a bedroom-based per-capita fee pursuant to 310 CMR 15.203 [Article II, Exhibit 3]for well users) shall be established by the Town of Nantucket. The Town will review the cost of providing sewer service periodically and will adjust the rates accordingly.
- B. Charges for sewage services shall be billed to each customer in a minimum of semiannual installments to the extent possible, quarterly bills coinciding with the Water Company meter readings may be implemented.
- C. Bill is considered delinquent 30 days after mailing date. Delinquent notice sent 15 days thereafter. Sixty days after mailing date a 1.5% interest charge per month on any outstanding balance more than 30 days in arrears will be assessed.
- D. Payment in full of any outstanding balance must be made prior to any hearing for an appeal of any sewer fees.
- E. Residential property owners over the age of 65 are permitted to make periodic payments of the bill provided that the bill is paid within one year following issuance. There shall be no interest charged or demand notices sent during this period.

Sewer Fee Waiver Request History

DATE	REQUESTOR	LOCATION	REQUEST WAIVER FOR	BOS ACTION	NOTES
6/4/2009	Shannon Cronan	11A Mary Anne Drive	Reduced sewer connection permit fee	Denied	BOS policy not to waive fees
3/17/2010	Robert Shapiro	19 Old South Road	Relief from monthly sewer charge on vacant lots	No action	Would set precedent if approved
5/12/2010	Lindsay Winters	28 Young's Way	Sewer connection permit fees (2)	Waiver approved for renewal of permits	Permits were previously approved & paid for but construction did not commence due to down economy & permits expired
12/19/2012	SSA	Intersection of Broad & South Beach Streets	Sewer connection permit fee; Sewer Privilege Fee	Approved	SSA is a governmental agency which serves the island
11/20/2013	Nantucket Congregation of Jehovah's Witnesses	"Kingdom Hall" at 43 Milk Street	Reduction or abatement of sewer connection permit fee	Denied	Would set precedent if approved
11/5/2014	Habitat for Humanity	20 Ticcoma Way	Sewer connection permit fee; Sewer Privilege Fee	Approved	Affordable housing unit
8/5/2015	Habitat for Humanity	Lot # 13, Sachem's Path	Sewer connection permit fee; Sewer Privilege Fee	Approved	Affordable housing unit
1/20/2016	Museum of African American History	29 York Street	Sewer connection permit fee; Sewer Privilege Fee	Approved	Approval conditional that restroom facilities are open to public when museum is open
2/3/2016	Housing Nantucket	75B Old South Road and 7 Surfside Road	Sewer connection permit fees; Sewer Privilege Fees	Approved - waived (1) SCPF and (3) SPFs for 75B Old South Road; and (3) SCPFs and (3) SPFs for 7 Surfside Road	Affordable housing units

3/16/2016	Housing Nantucket	18 Ticcoma Way	Sewer connection permit fee; Sewer Privilege Fee	Approved - waived (2) SCPFs and (2) SPFs	Affordable housing units; approval conditional that units be placed on Town's SHI list
6/15/2016	David Fredericks	Newtown Court (off Newtown Road)	Sewer connection permit fees	Approved - waived (2) SCPFs	Covenant lots
10/5/2016	Richmond Great Point Development, LLC	Richmond Housing Development off Old South Rd	Sewer connection permit fees; Sewer Privilege Fees	Waiver part of Sewer Connection & Dedication Agreement	Only units eligible for inclusion on Town's SHI as maintained by DHCD & deeded income-restricted (estimated 57 units/rental & 19 units/ownership)
12/7/2016	Habitat for Humanity	Lots # 39 & #40, Sachem's Path	Sewer connection permit fees; Sewer Privilege Fees	Approved - waived (2) SCPFs and (2) SPFs	Affordable housing units
12/21/2016	Sachem's Path Phase II	Lots # 14 - 26, 30 - 38	Sewer connection permit fees	Approved - waived (22) SCPFs	Affordable housing units
2/15/2017	Donald & Frances Trott, Marjory Trott	8 Dukes Rd	Sewer connection permit fee	Approved - waived \$500 SCPF if connected by 10/31/2017	Dukes Rd SNAFU
2/15/2017	Christopher Witte	44 Dukes Rd	Sewer connection permit fee	Approved - waived \$500 SCPF if connected by 10/31/2017	Dukes Rd SNAFU
3/14/2017	AHTF	Lot 90, Off Ticcoma Way	Sewer connection permit fees; Sewer Privilege Fees	Town Admin approved - waived (2) SCPFs and (2) SPFs	Affordable/workforce housing on Town-owned land
3/15/2017	Dukes Road Residents	Dukes Rd	Sewer connection permit fees	Waived SCPF for 21 addresses	Dukes Rd SNAFU
4/9/2018	Nantucket Public Schools	32 First Way	Sewer connection permit fee; Sewer Privilege Fee	Town Admin approved	Town property

5/9/2018	Habitat for Humanity	Lot 86/87 on Road Lot 80 (aka Waitt Dr)	Sewer connection permit fee; Sewer Privilege Fee	Approved - waived (1) SCPF & (1) SPF	Affordable housing unit
10/24/2018	Sachem's Path HOA	Lots # 1-12, 14-38, Sachem's Path	Sewer Privilege Fees	Approved - waived 37 SPFs	Pursuant to revised Sewer Fee Waiver Policy, revised 10/24/18
3/20/2019	Nantucket Cottage Hospital	57 Prospect St	Sewer Connection Permit Fee	Fee should be \$56,408; SB approved fee of \$5,000	
8/7/2019	Lemberg Son & Daughter LLC	36 Hooper Farm Rd/3 Hull Ln	Sewer Connection Permit Fee	Approved	Covenant lot
8/21/2019	James A. Kuratek & Michel Kremer	27 Meadow View Dr	Sewer Connection Permit Fee	Approved	Covenant lot
9/25/2019	Richmond Great Point Development, LLC	Richmond Housing Development off Old South Rd	Sewer Permit Connection Fees (pursuant to 10/5/16 Sewer Connection & Dedication Agreement)	Approved - waived 24 units of 80% AMI-restricted apartments of Phase I, Meadows II	Affordable Housing
10/23/2019	Caitlin Parsons	17B Tashama Ln	Sewer Connection Permit Fee	Approved	Covenant Lot
5/27/2020	Jennifer Dubois & Peter Psaradelis	3 Dooley Ct	Sewer Connection Permit Fee	Approved	Covenant Lot

From: [Rachel K. Day](#)
To: [Libby Gibson](#)
Cc: [Erika Mooney](#)
Subject: FW: Sandy Pedals Bike Share
Date: Thursday, July 30, 2020 12:35:49 PM
Attachments: [Bike Share Hubs.msg](#)
[Destinations Bike Share.msg](#)

Thomas Holt emailed the below PDF and photos in the attached email to the Board. My guess is this is in response to me telling him we need the documents for packet Wednesday if he is going to go to SB on 8/5. Sorry I'm not seeing this until now as I didn't check mail yesterday after leaving early. And neither of you were copied on them.

*Rachel K. Day
Town of Nantucket
(508) 228-7200 ext. 7330*

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From: thomas holt <tcholt82@gmail.com>
Sent: Wednesday, July 29, 2020 10:24 AM
To: Rachel K. Day <rkday@nantucket-ma.gov>; Amy Baxter <aBaxter@police.nantucket-ma.gov>; Robert McNeil <rmcneil@nantucket-ma.gov>; Dawn Hill Holdgate <dhillholdgate@nantucket-ma.gov>; Jason Bridges <jason@nantucketbybike.com>; Matt Fee <mfee@nantucket-ma.gov>; Kristie Ferrantella <kferrantella@nantucket-ma.gov>; Melissa B. Murphy <mbmurphy@nantucket-ma.gov>
Subject: Sandy Pedals Bike Share

Good Morning,

This is Thomas Holt with Sandy Pedals Bicycles. I have been in correspondence with Amy, Rachel and Robert regarding the outstanding questions that needed to be answered to move forward with the operation of the Bike Share program. Attached are documents that outline the daily operation, rider experience and use of town properties.

The new goal is to launch in mid August to early September due to Covid-19 shut-downs and manufacturing delays overseas.

Thank you for your time and if you have any questions please reach out.

Health and Sanity,
Thomas

 [SANDY PEDALS DAILY OPERATION AND GENERAL OVERVI...](#)

 [PDF SANDY PEDALS RIDER EXPERIENCE \(2\).pdf](#)

SANDY PEDALS DAILY OPERATION AND GENERAL OVERVIEW

SANDY PEDALS is a wireless, dockless bike share system, which allows visitors and residents to customize their Nantucket experience. SANDY PEDALS uses the latest bike share technology from Lattis and Priority to organize the strategic relocation of bikes to where they are needed most.

The system is comprised of 50 individual bike files that all communicate with each other through the main Admin network. There are numerous customizable service options available. Currently, it is set up to operate with each bike being able to go 65 miles (battery capacity is 100 miles) on a charge before an alert is sent to the Admin server for pick up and service. Once the bike is returned to the service location it will be cleaned, lubricated, charged, and mechanical adjustments made before being redistributed to a Hub.

The bikes are custom designed by Priority Bikes and Lattis with specific features for Sandy Pedals. Each bike is equipped with a pedal assist motor (max assist speed of 14 mph), headlight (750 lumens), blinking taillight, rear rack, front basket, helmet bag (with helmet, hand sanitizer and sanitation wipes), and bell. The bikes are adjustable to accommodate riders ranging from 5'4"- 6'3" safely. They are also equipped with the latest self-locking bike share technology with GPS locator, which monitors and stores data for each ride (distance, duration, and the most frequently ridden routes).

Redistribution is a constantly flowing process, with regularly scheduled, strategic movement of bikes every 2 hours as well as moving mis-parked bikes, which are alerted to the Admin in real time, for immediate relocation. The regularly scheduled redistribution times are 6 am, 8 am, 10 am, 12 pm, 2 pm, 4 pm, 6 pm, 8pm, and 10 pm. The 10 pm redistribution will relocate all bikes not in Destination locations, back to the most frequently used AM Hubs.

Hubs and Destination locations are differentiated by the allowed duration of parking. Hubs will allow bikes to be stationary for up to 8 hours before they are moved to a more needed location. Destinations areas will allow bikes a shorter 4-hour period before relocation. All Hub locations (photos 1A-6b) were selected for generally central proximity to more densely populated areas or for ease of access. Hubs would have a minimum of one bike rack, with a max capacity of 15 bikes per location. Four of the six Hubs selected currently have existing bike racks to handle this density. Hubs without appropriate racks will be provided with DPW approved racks (currently no written HDC approval required per the HDC). Destination locations (photos 1-18) were selected for their popularity of usage with riders.

In addition to the parking areas mentioned above, Sandy Pedals has acquired and is the process of acquiring the use of several private properties. The comprised list of written agreements are, ReMain Nantucket (use of all properties), Offshore Real Estate group, Something Natural, Nantucket Artist Association, Faregrounds Restaurant/ Puddley's Pub, Nantucket Auto Supply, Stewart & Co, The Green Lady, Island Kitchen, Keepers Restaurant, 45 Surfside, and Anny's

Whole foods (all private locations rack will be determined by the property owner before any installations). Jesse Bell has also approved use of certain Land Bank properties, but further communication is needed to define specific locations. Nantucket Conservation Foundation President & CEO Cormac Collier has given Sandy Pedals verbal approval, with the understanding that the bike share conversation needs to be presented to the board, and then individual locations selected. Along with these locations, Sandy Pedals is in negotiations with the operators of Foggy Nantucket for the use of there unused retail space at the front of the building.

Due to the current state of the of our nation in the pandemic. Sandy Pedals is planning on exceeding the CDC's bike share requirements (which leave the responsibility of safety to the rider), and will provide hand sanitizer, sanitation wipes, as well as sanitizing each bike before it's relocated.

SANDY PEDALS RIDER EXPERIENCE

Hello, my name is Chad, I came to Nantucket last Tuesday for my annual bros get away. I wanted to share with you the exciting new experience I had this year, it was a real game changer for me.

I was on the boat scrolling through my Instagram and an ad popped up for a bike rental business, it's called SADNY PEDALS. It's more like a bike share, so all I had to do was download the free app, fill out the rider info, and credit card. Once that was done it showed exactly where all the available bikes were to rent. The coolest thing was that instead of just having to find a bike and scan the QR code (like other bike shares) I had the option to reserve a bike while I was still on the boat. I got off the boat walked over to the Green Hound, and the bike was waiting for, and in a bag on the front of the bike a helmet, hand sanitizer, and wipes. I then pressed the "start ride" button and I was off! I got out of downtown in under 10 minutes.

My bros and I rented a house right next to surfside beach (as we always do). It took me 15 minutes from town to the surfside bike racks, which was awesome because these are pedals assist so there was almost no effort needed to get there. Even cooler was at only 25 cents a minute, it only cost me \$3.75, and I wasn't even sweating! I parked the bike and locked it to the rack inside the shaded parking area on the app, took a picture of the bike on the rack (the app asks you do that, I think for security reasons?), and I was done!

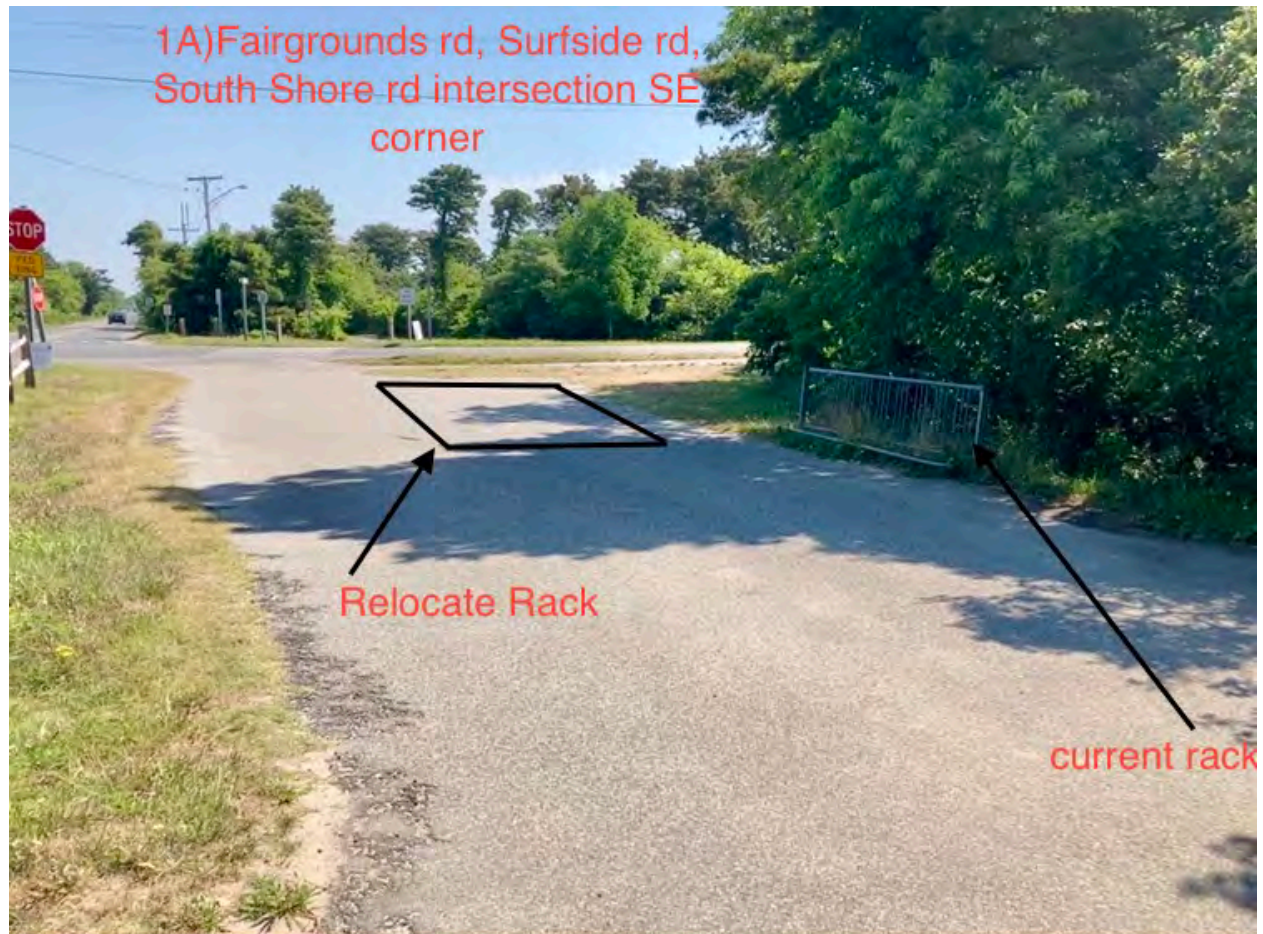
That night I told all my boys about SANDY PEDALS, and how easy it was. They then all downloaded the app, and we all went for a ride out to Sconset. In the six years we've been coming out to Nantucket not one of us had ever bin there. It was cool we saw a totally different side of the island, and my boy Trip said he saw Bill Belichick. The ride out to Sconset cost each of us \$6.25.

The bummer was that it started raining so half my friends didn't want to ride home, but it worked out really well. They could just leave the bikes on the rack and catch the bus back to surfside. Myself, Tripp and two of my other boys said screw it, it's a nice summer rain lets ride back. We got back to the house in 25 minutes, and it took my boy on the bus over an hour to get back.

What I'm really trying to say is that the ease and accessibility of this new bike-share has afforded myself and my boys a whole new side to the island. This place is so cool, there's a lot more to Nantucket then just going the beach and night life!

Thanks SANDY PEDALS for the eye opener!!!

Bike Share Hubs





2A) Winter Park on Essex



2B) Winter Park on
Essex

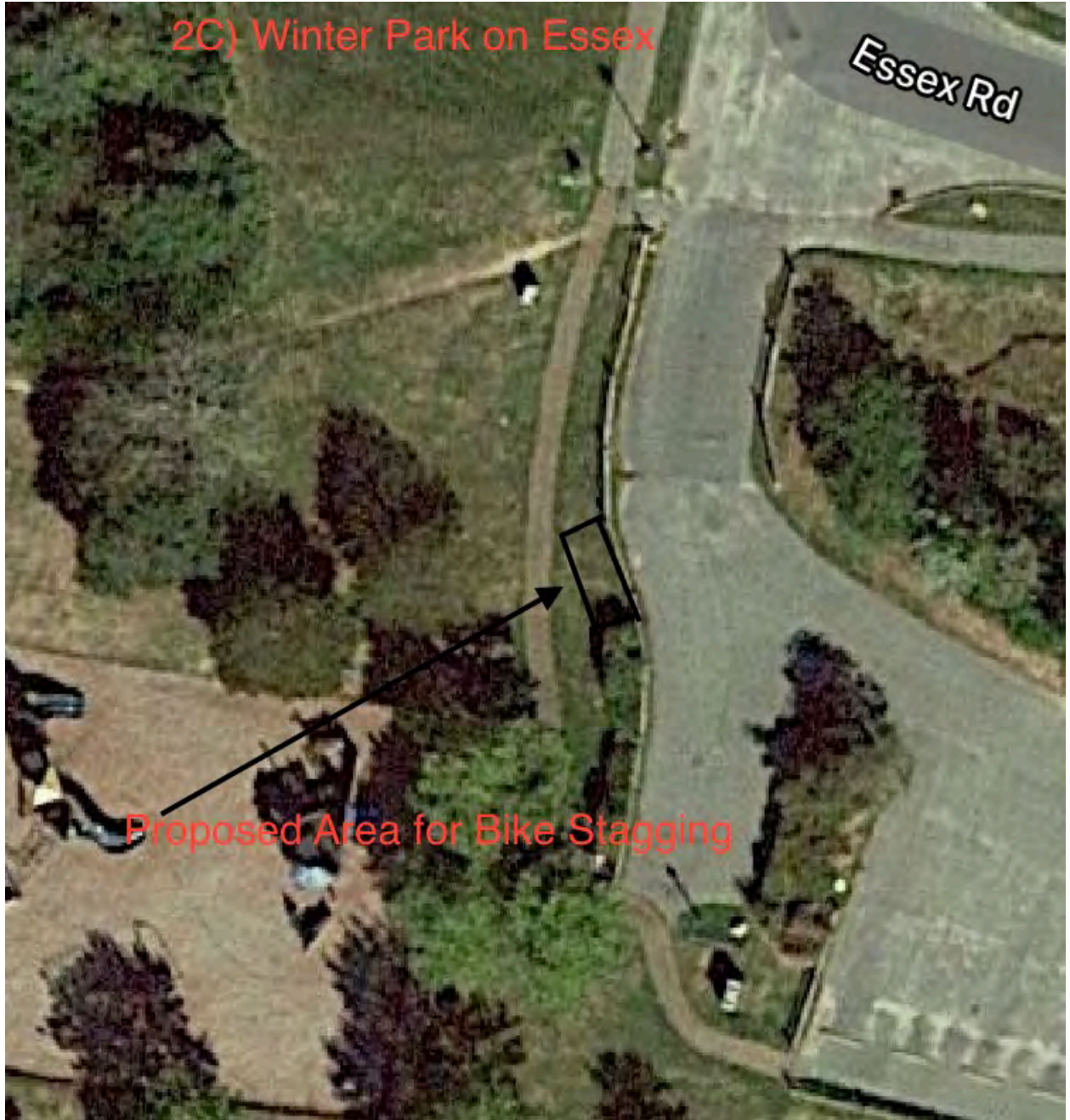


Relocate existing rack to the grass side of the fence

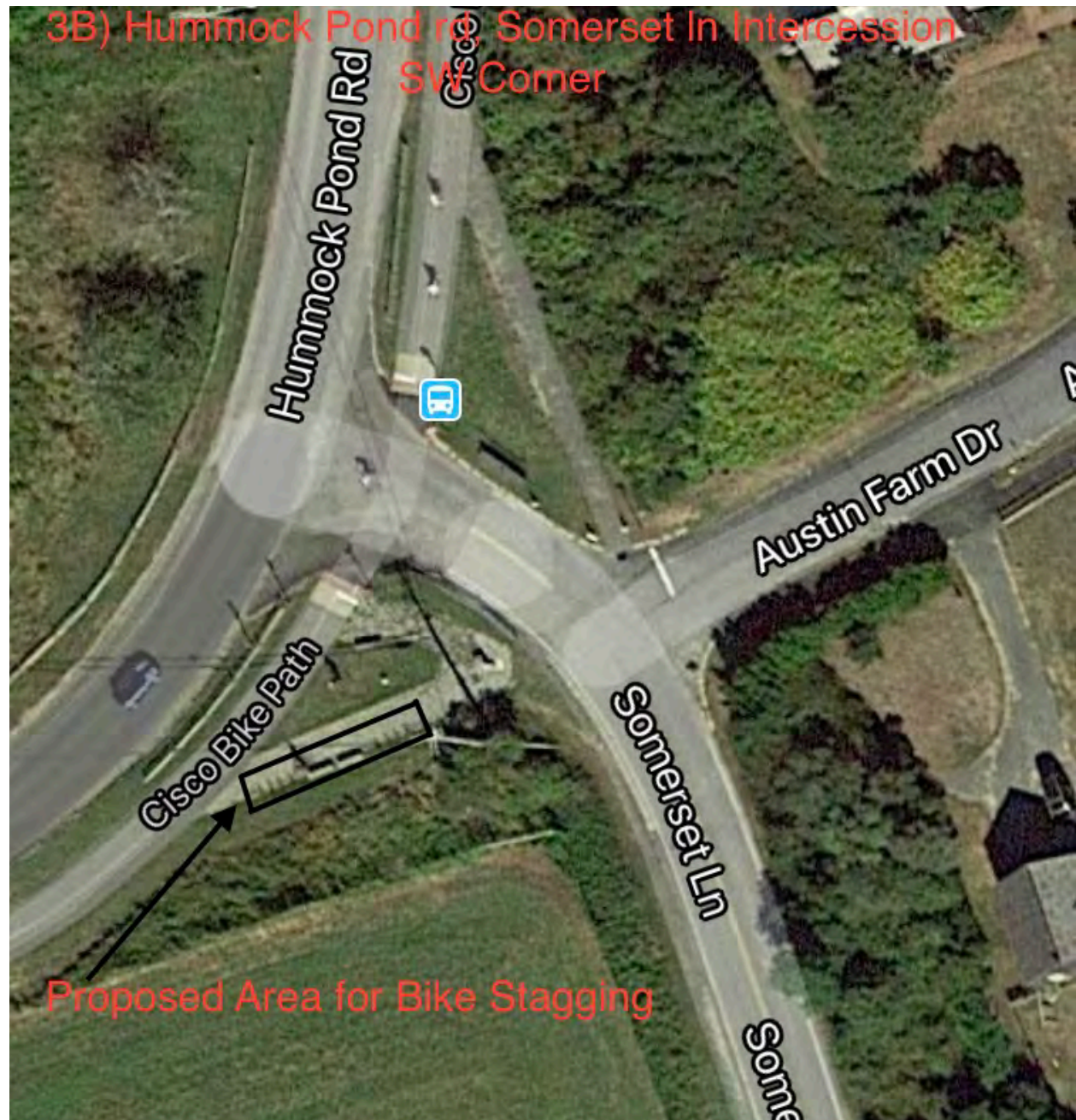
2C) Winter Park on Essex

Essex Rd

Proposed Area for Bike Staging



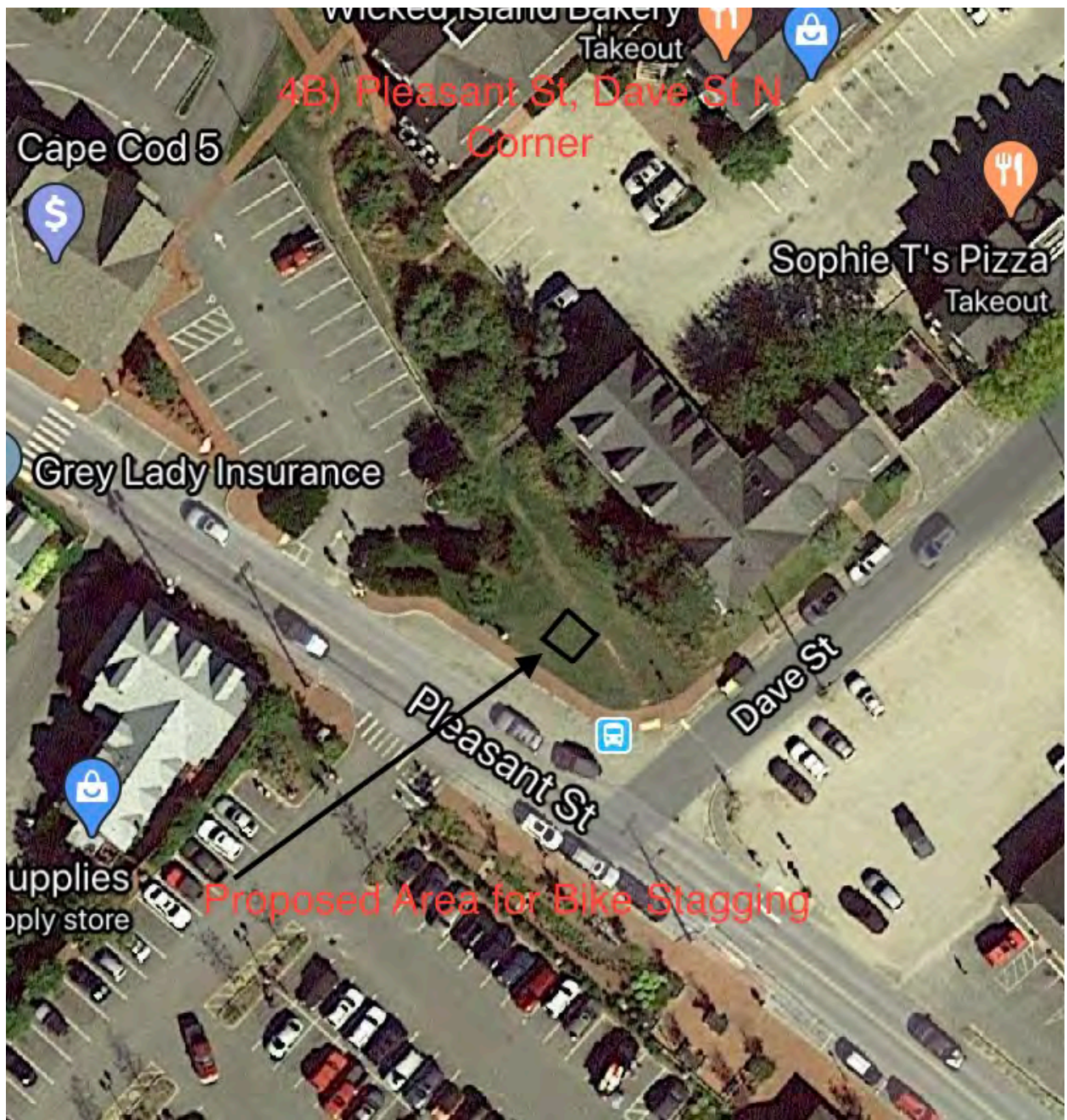




4A) Pleasant st, Dave st N Corner



No Existing Racks. Sandy Pedals will install two new racks



5A) Madaket rd, Starbuck rd Intercession W Corner



No Existing Bike Racks, Sandy Pedals will install Two New Racks

5B) Madaket rd, Starbuck rd Intercession W Corner



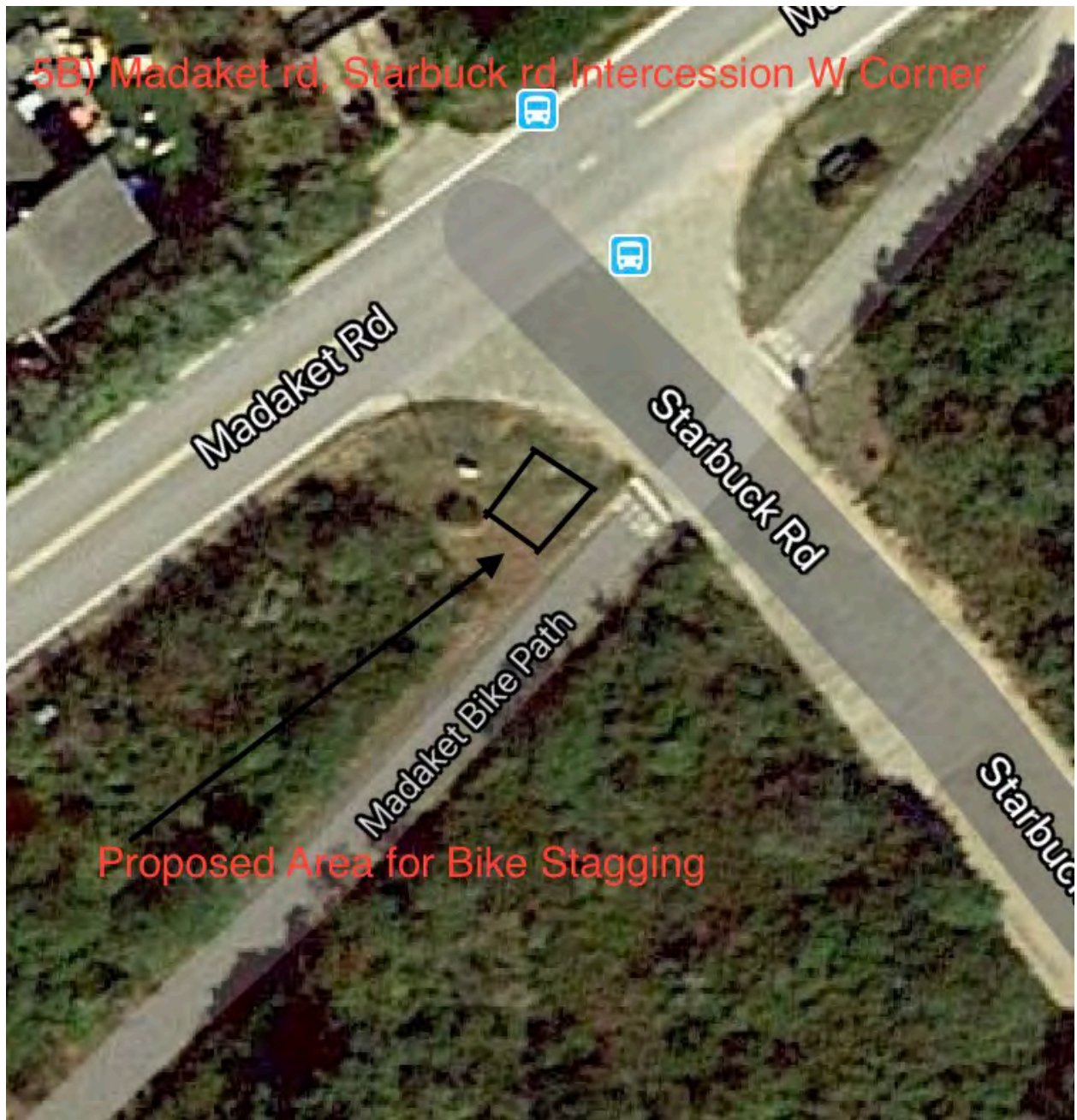
Madaket Rd

Starbuck Rd

Madaket Bike Path

Starbuck

Proposed Area for Bike Staggering

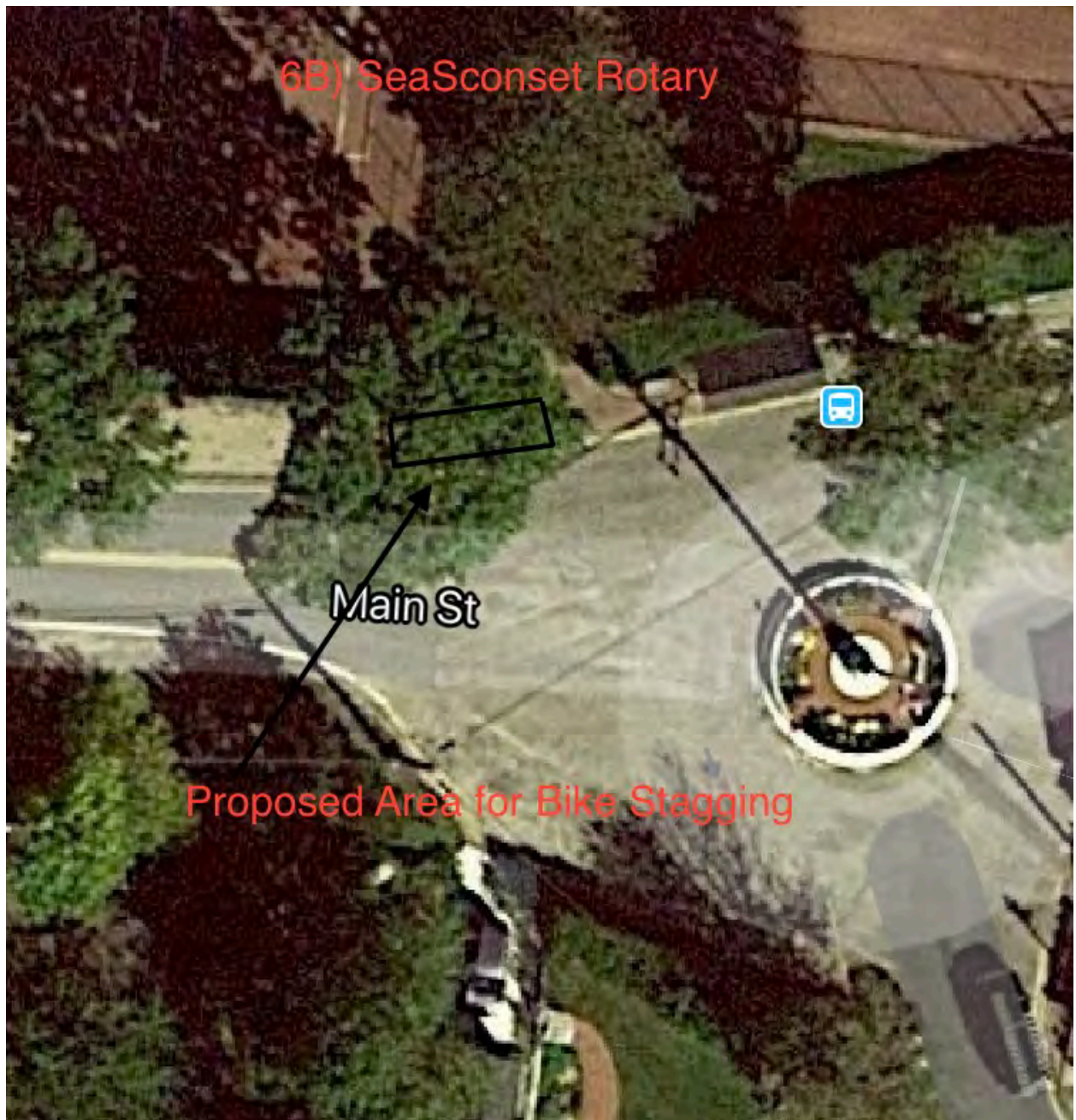


6A) SeaSconcest Rotary



Current Rack Location (No need to relocate)

6B) SeaSconset Rotary



Destinations Bike Share



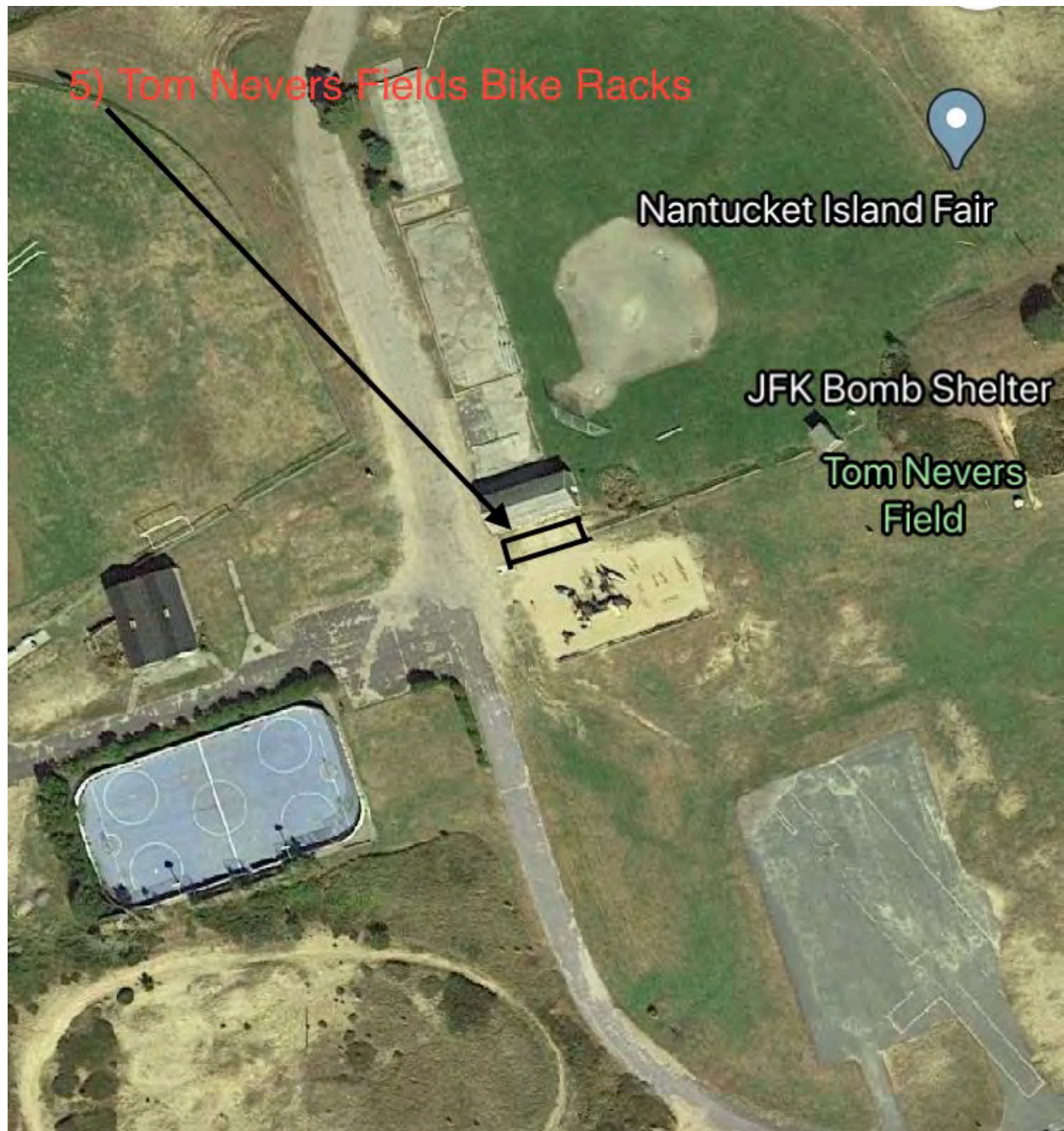
2) Madacket Beach Bike Rack



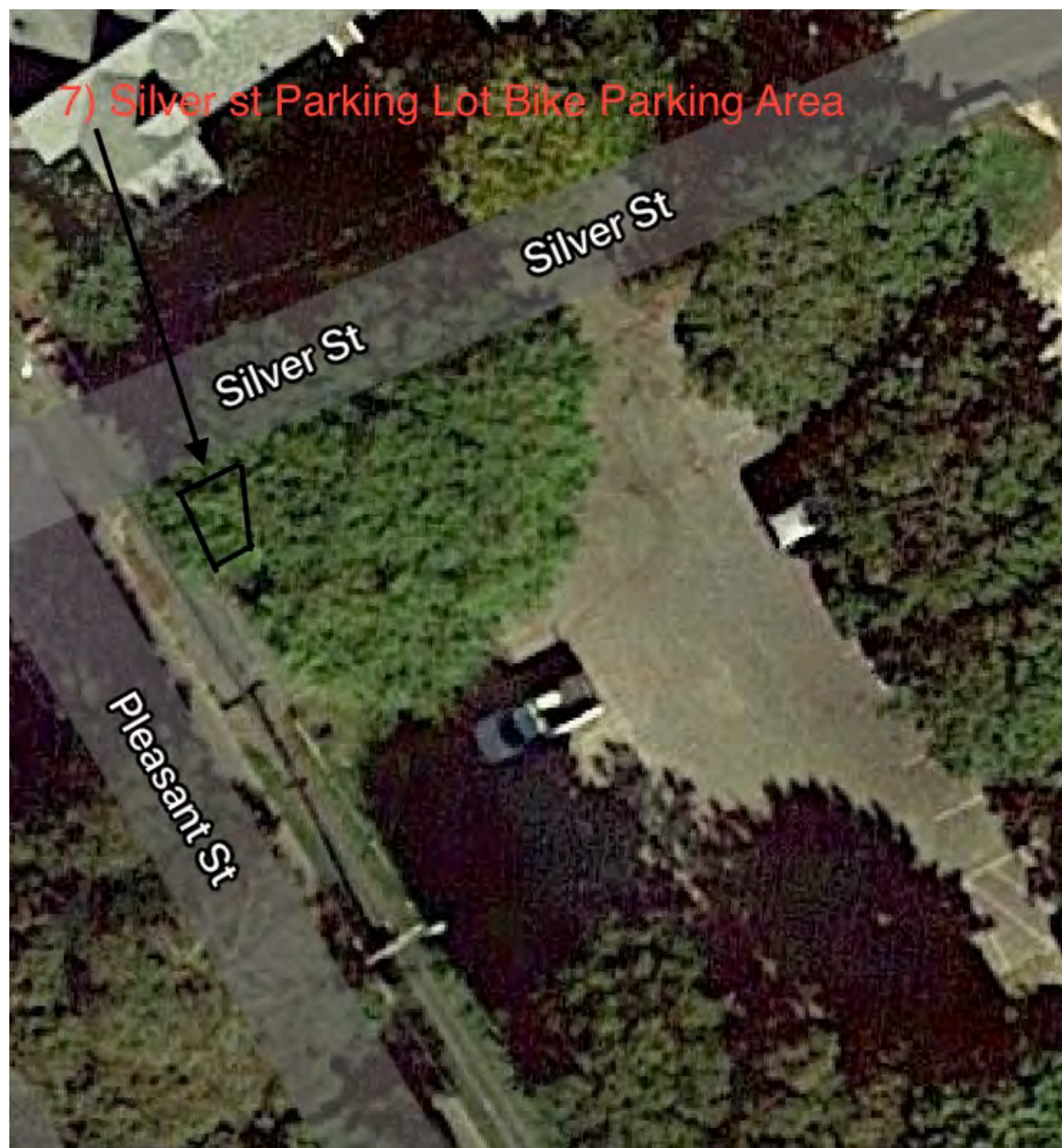


4) Jetties Beach Bike Racks





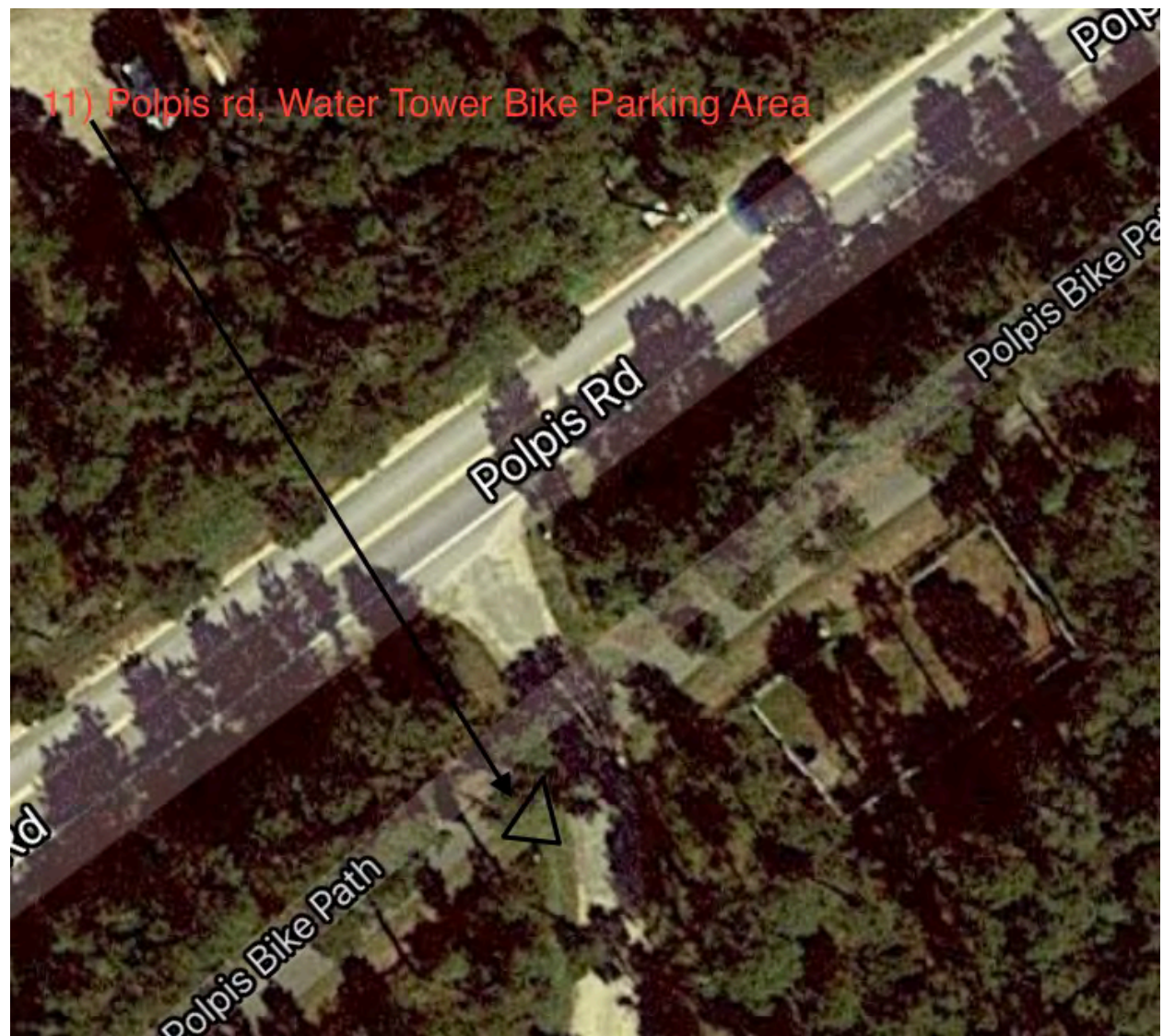


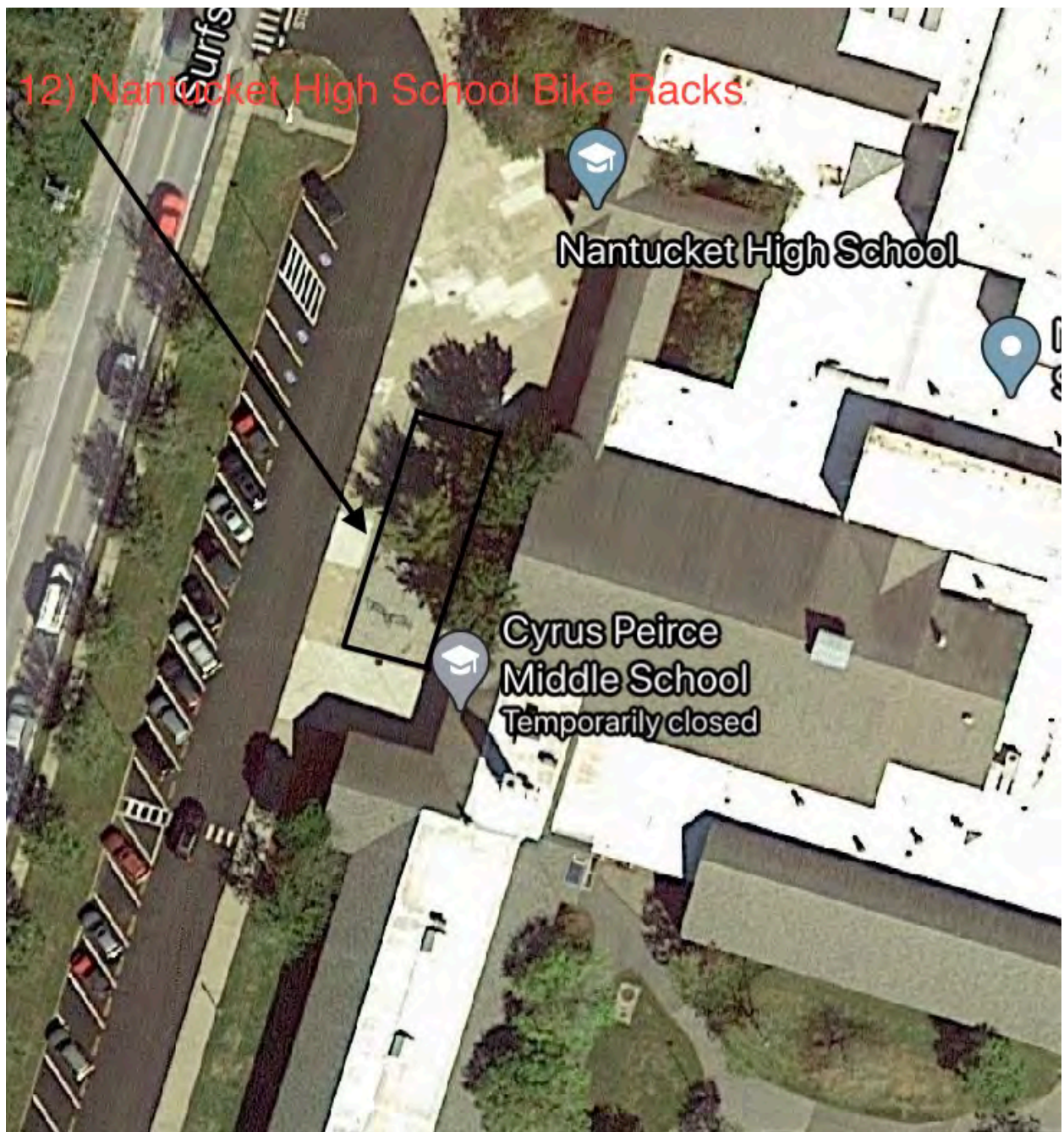




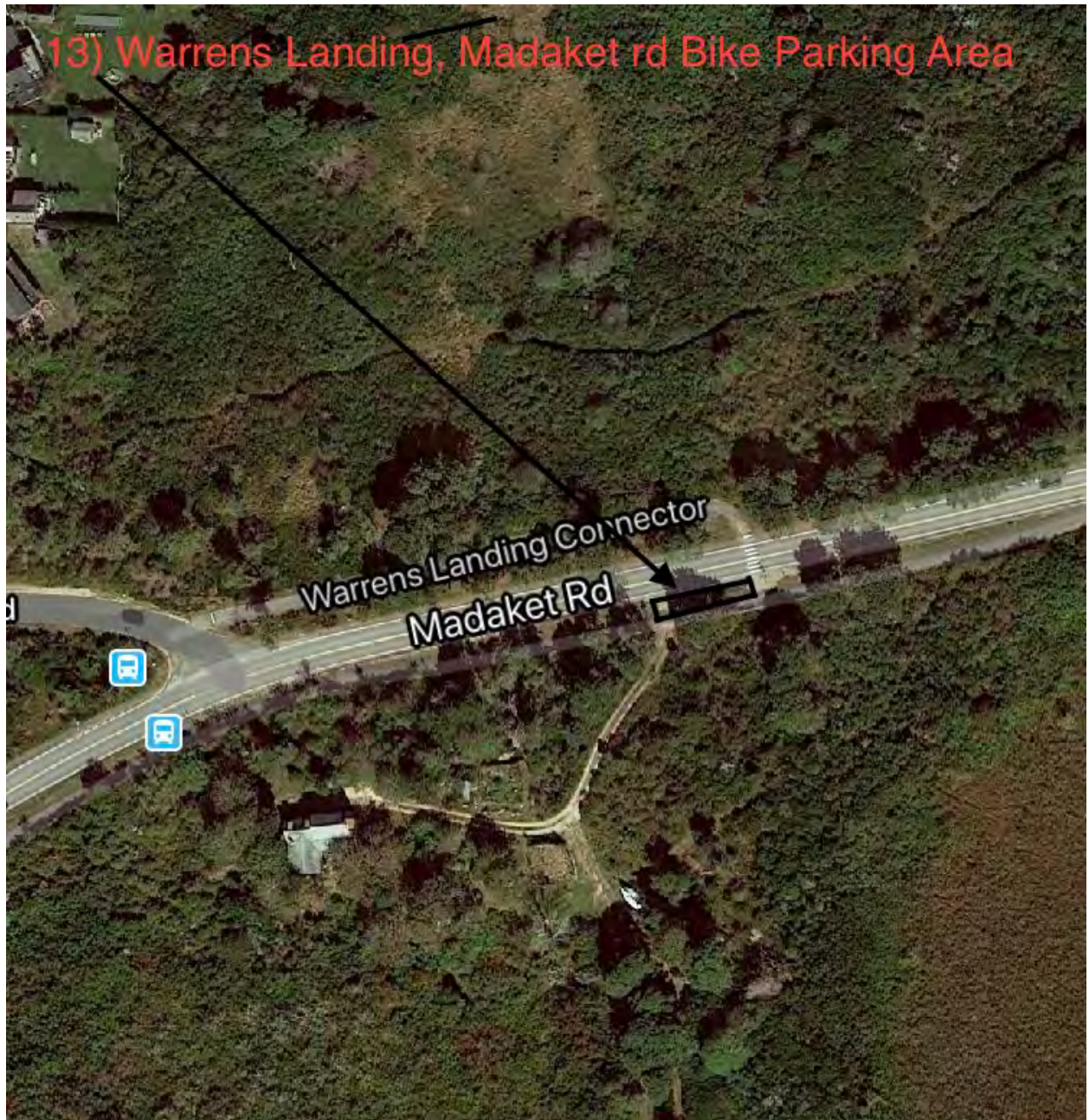








13) Warrens Landing, Madaket rd Bike Parking Area



14) Nantucket Transfer Station Bike Rack



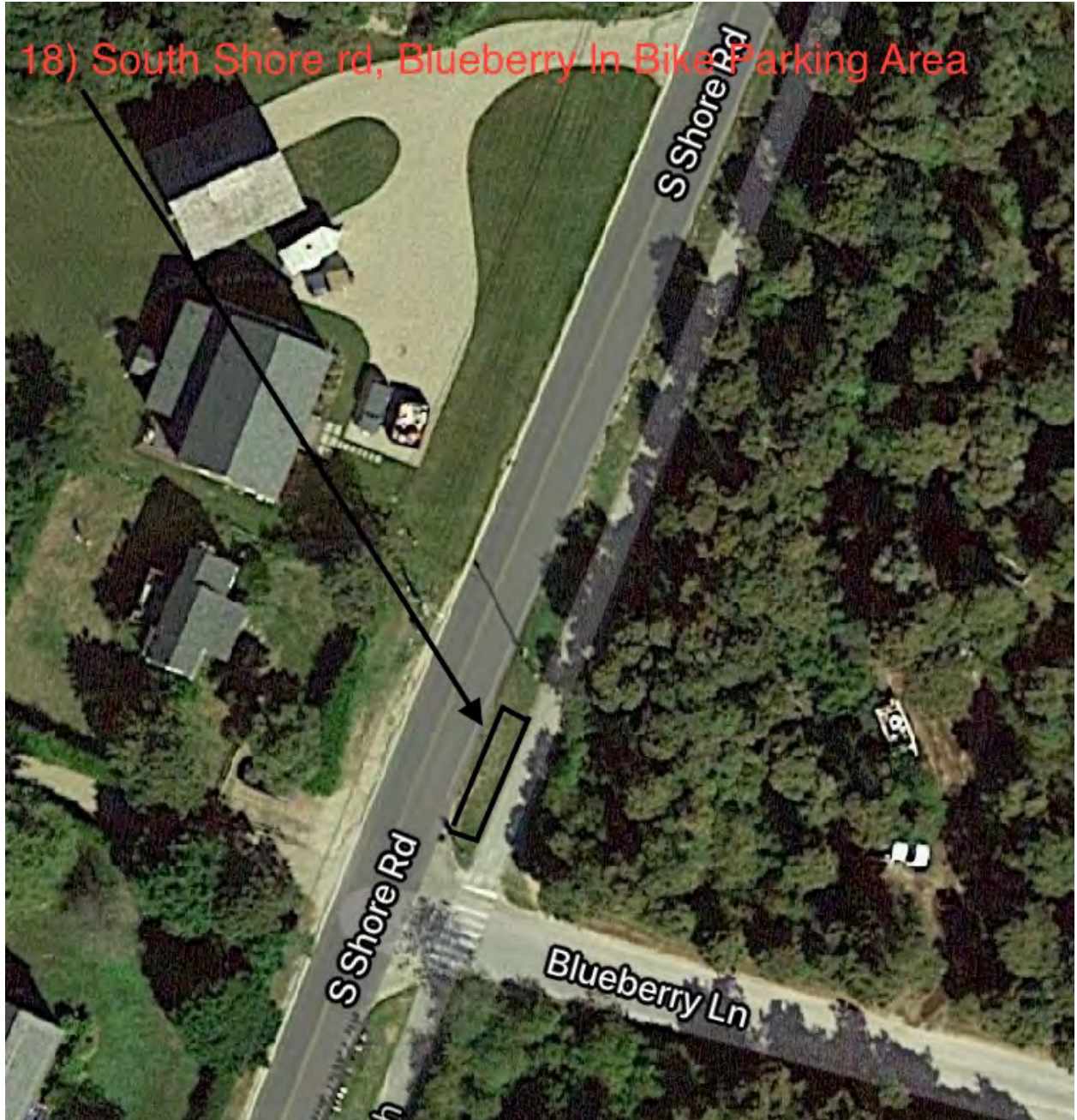
15) Madaket rd, Barrett Farm rd Water Fountain Bike
Parking Area







18) South Shore rd, Blueberry In Bike Parking Area



Service Agreement MOU - Bike Sharing Services

This Memorandum of Understanding (MOU) is made this ____ day of _____, 20__, by and between the Town of Nantucket ("Town") LLC. DBA Sandy Pedals ("Sandy Pedals").

Recitals

1. A goal of Town is to provide safe and affordable multi-modal transportation options to all residents and visitors, reduce traffic congestion, and maximize carbon free mobility.
2. Bike share services are a component to help the Town achieve its transportation goals and the Town desires to make bike share services available to residents and those who work in or visit the Town.
3. Sandy Pedals proposes to operate a bike share program within the Town.
4. Sandy Pedals will abide by all Town ordinances and rules governing the use of public space to efficiently and effectively provide bike share services.
5. Sandy Pedals possesses GPS, 3G, and self-locking technology in its bike fleet such that bikes may be locked and opened by users with an app and tracked to provide for operations and maintenance.
6. Sandy Pedals's dockless bikeshare model means no docking stations are installed or required to unlock and rent or return a bike.
7. In accordance with the mutual goals established in this MOU, Town and Sandy Pedals agree to launch a 6-month pilot Bike Share program as stated in this MOU.

Agreement

1. **Exclusive Operator.** Town designates Sandy Pedals as the exclusive provider of bike share services within its Town limits. This designation is personal to Sandy Pedals and may not be assigned or transferred to any party.
2. **Pilot Program Term.** The term of this MOU is for 9 months from the date of Agreement execution as stated above. Agreement extension will be granted under mutual consent and could be terminated earlier per Section 14 of this MOU.
3. **Use of Town Property.** Town authorizes Sandy Pedals to use Town property and the public right-of-way solely for the purposes set forth in Section 3 of this MOU. This authorization is not a lease or an easement, and is not intended and shall not be construed to transfer any real property interest in Town Property.

4. **Permitted Use.** Sandy Pedals customers may use Town property and the public right-of-way solely for parking of bicycles owned and maintained by Sandy Pedals for use in the bike share program. Sandy Pedals shall not place or attach any personal property, fixtures, or structures to Town Property without the prior written consent of Town other than as noted in this agreement.

Use of Town property and the public right-of-way, and Sandy Pedal's operations within the Town, shall, at a minimum:

- a) not adversely affect Town Property or the Town's streets, or sidewalks;
 - b) not adversely affect the property of any third parties;
 - c) not inhibit pedestrians, people with disabilities, or vehicular movement within Town property and the public right-of-way or along other property or rights-of-way owned or controlled by the Town
 - d) not create conditions which are a threat to public safety and security.
 - e) Upon termination of this MOU by either party, Sandy Pedals shall, at its sole cost and expense, immediately remove its property from Town property and the public right-of-way and restore the right-of-way or Town property to its original condition.
5. **Bike parking.** Sandy Pedals and the Town will collaboratively identify pre-existing bicycle racks and appropriate parking locations to be designated as such in the Sandy Pedals app. These will be locations where the Sandy Pedals local operations team will rebalance bikes.
- a. Bicycles shall be parked in the furniture zone of the sidewalk (i.e., not blocking the pedestrian travelway or frontage zone of buildings), or within 4 ft. of a public bicycle rack, or at another Town-owned location with prior approval of the Town.
 - b. Bicycles parked on private property will be allowed at the discretion of the private property owner.
 - c. Bicycles shall stand upright when parked.
 - d. Users shall be encouraged to park adjacent to bike racks while not blocking other users from locking their bicycles to existing racks.
 - e. With the advance approval of the Town, Sandy Pedals may indicate virtual bicycle racks, such as with paint or decals, and/or use signage where appropriate to guide riders to these preferred, though not required, parking zones in order to assist with orderly parking of bicycles throughout the Town. The Town, at its own discretion, may choose to support the bike sharing program with the installation of additional bicycle racks and/or designated bicycle parking zones.
 - f. During the bike share program, Sandy Pedals and the Town can add and/or remove designated bicycle parking locations upon mutual agreement.
 - g. Sandy Pedals will actively manage the Bicycle Fleet to ensure orderly parking and the free and unobstructed use of the public right-of-way. Any bicycle that is parked improperly shall be re-parked in a correct manner or shall be removed by Sandy Pedals within the timeframe indicated in Exhibit A.

6. Condition of Town Property.

- a. Town makes Town property and the public right-of-way available to Sandy Pedals in an "as is" condition. Town makes no representations or warranties concerning the condition of the Town property and the public right-of-way or its suitability for use by Sandy Pedals or its customers, and assumes no duty to warn either Sandy Pedals or its customers concerning conditions that exist now or may arise in the future.
- b. Town assumes no liability for loss or damage to Sandy Pedals's bikes or other property. Sandy Pedals agrees that Town is not responsible for providing security at any location where Sandy Pedals's bikes are stored or located, and Sandy Pedals hereby waives any claim against Town in the event Sandy Pedals's bikes or other property are lost or damaged.
- c. In the event that Town, in its sole discretion, which it shall not exercise unreasonably, determines that any of Sandy Pedals's bikes are interfering with safe and accessible use of the public right-of-way or Town property, Town may immediately remove Sandy Pedals's bikes to another location. Town shall provide Sandy Pedals with prompt notification of the relocation of Sandy Pedals's bikes and make them available to Sandy Pedals to collect during normal Town business hours.
- d. In the event that Sandy Pedals ceases operation of its business and fails to remove its bikes from Town's public right-of-way or property, after reasonable notice from Town, Town may treat Sandy Pedals bike's still on Town right-of-way or public property as abandoned property.

7. **Maintenance and Care of portion of Town Property.** Sandy Pedals expressly agrees to repair, replace or otherwise restore any part or item of real or personal property that is damaged, lost or destroyed as a result of the Sandy Pedals's use of Town Property. Should the Sandy Pedals fail to repair, replace or otherwise restore such real or personal property, Sandy Pedals expressly agrees to pay Town's costs in making such repairs, replacements or restorations.

8. **Operations & Maintenance.** Sandy Pedals will cover all maintenance costs for the bike fleet and maintenance to minimum level of service and reporting outlined in Exhibit A.

9. **Indemnification.** To the fullest extent permitted by law, Sandy Pedals shall defend, pay, indemnify and hold harmless Town, its officers, officials, employees, agents, invitees, and volunteers (collectively "Town Parties") from all claims, suits, actions, damages, demands, costs or expenses of any kind or nature by or in favor of anyone whomsoever and from and against any and all costs and expenses, including without limitation court costs and reasonable attorneys' fees, resulting from or in connection with loss of life, bodily or personal injury or property damage arising directly or indirectly out of or from or on account of:

- a) Any occurrence upon, at or from Town Property or occasioned wholly or in part by the entry, use or presence upon Town Property by Sandy Pedals or by anyone making use of Town Property at the invitation or sufferance of Sandy Pedals, except such loss or damage which was caused by the sole negligence or willful misconduct of Town.

- b) Use of Sandy Pedals's bikes by any individual, regardless of whether such use was with or without the permission of Sandy Pedals, including claims by users of the bikes or third parties.
10. **Insurance.** Sandy Pedals shall procure and maintain for the duration of this MOU insurance against claims for which Sandy Pedals has indemnified the Town pursuant to Section 9 of this MOU. Sandy Pedals shall maintain General Liability limits no less than One Million and no/100 Dollars (\$1,000,000.00) per occurrence for bodily injury, personal injury and property damage, and in the sum of One Million and no/100 Dollars (\$1,000,000.00) for injury to or death of more than one person for each occurrence. Each insurance policy shall name the Town as an additional insured and it shall be endorsed to state that: (i) coverage shall not be suspended, voided, or cancelled by either party, or reduced in coverage or in limits except after thirty (30) calendar days prior written notice by certified mail, return receipt requested, has been given to Town; and (ii) for any covered claims, the Sandy Pedals's insurance coverage shall be primary insurance as respects the Town and any insurance or self-insurance maintained by the Town shall be in excess of the Sandy Pedals's insurance and shall not contribute with it. The insurance required to be provided herein, shall be procured by an insurance company approved by Town, which approval shall not be unreasonably withheld.
11. **Compliance with Law.** Sandy Pedals at its own cost and expense, shall comply with all statutes, ordinances, regulations, and requirements of all governmental entities applicable to its use of Town Property and the operation of its bike share program, including but not limited to laws governing operation of bicycles. If any license, permit, or other governmental authorization is required for Sandy Pedals's lawful use or occupancy of Town Property or any portion thereof, Sandy Pedals shall procure and maintain such license, permit and/or governmental authorization throughout the term of this MOU. Town shall reasonably cooperate with Sandy Pedals, at no additional cost to Town, such that Sandy Pedals can properly comply with this Section and be allowed to use Town Property as specified in Section 3, above.
12. **Required Reports.** Sandy Pedals shall provide reports to the Town concerning utilization of its bikes and bike route usage not less than monthly, and shall cooperate with the Town in the collection and analysis of aggregated data concerning its operations.
13. **No Joint Venture.** Nothing herein contained shall be in any way construed as expressing or implying that the parties hereto have joined together in any joint venture or liability company or in any manner have agreed to or are contemplating the sharing of profits and losses among themselves in relation to any matter relating to this MOU.
14. **Term.** This MOU shall commence on _____, (the "Commencement Date") and shall expire on the date that is ten (10) months after the Commencement Date unless earlier terminated pursuant to Section 15, below.

15. **Termination.** This MOU may be terminated prior to the expiration date set forth in Section 14, above, upon the occurrence of any of the following conditions:
- a) Upon delivery of written notice from Town to Sandy Pedals terminating this MOU for any reason, or for no reason, by giving at least thirty (30) days' notice to Sandy Pedals of such termination.
 - b) An attempt to transfer or assign this MOU.
 - c) Upon delivery of no less than 180 days' written notice from Sandy Pedals to City terminating this MOU, along with Sandy Pedals written notice of plans for termination. Following agreement of termination, Sandy Pedals will remove all bikes from the public right-of-way, at its sole cost and expense, within the final thirty (30) days.
16. **Amendment.** This MOU may be amended by mutual agreement of the parties. Such amendments shall only be effective if incorporated in written amendments to this agreement and executed by duly authorized representatives of the parties.
17. **Permits or Licenses.** The Town shall notify Sandy Pedals of any local permits or licenses required, if any, of the company for its local operation.
18. **Applicable Law and Venue.** The laws of the State of Massachusetts shall govern the interpretation and enforcement of this MOU.
19. **Counterparts.** This MOU may be executed simultaneously or in any number of counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same agreement.

Executed the day and year first above written, by the parties as follows:

TOWN OF NANTUCKET

XX LLC D/B/A SANDY PEDALS

acting by and through its

Select Board

Dawn E. Hill Holdgate, Chair

Thomas Holt

Jason Bridges

Matthew G. Fee

Kristie Ferrantella

Melissa K. Murphy

Exhibit A

Description of Sandy Pedals Service Level Agreement

The following performance indicators shall be met and reported to help the Town measure our success serving its citizens and improving the livability and mobility of Nantucket. Sandy Pedals will maintain its bikes to be in an excellent state of cleanliness and repair, with a minimum of 90% of deployed bikes operable at any time.

Performance Indicator	Description	Measurement Tool	Mimimum Performance Standard	Reporting Frequency
App & customer service support portal				
Bicycle Distribution				
Bicycles in service				
Report-responsive				
Bicycle education events				

2/5/2020 draft minutes:

X. SELECT BOARD'S REPORTS/COMMENT

1. Bike Share Proposal Award. Chair Hill Holdgate invited the applicants to speak on behalf of their proposals. Licensing Administrator Amy Baxter delivered an overview of the applicants and the permitting process for Micro-Mobility Bicycle Share Pilot Program. Bicycle & Pedestrian Advisory Committee (BPAC) has not had the opportunity to review the three applications. In review, this is a one-year pilot program, not an official RFP process, to provide mobility options, collect data of experience and decide if the town wants to continue; applicants are aware of the limited duration. Tobias Glidden, Wheels of Delight, would be happy to share collected data with the town and appreciated the opportunity to improve transportation on the island. Mr. Glidden answered questions from the Board. Barbara Grady, Sea Bikes, spoke to her application with a slower roll-out and would like to explore the new concept. Ms. Grady answered questions from the Board. Tom Holt from Sandy Pedals, spoke on behalf of his application. Mr. Holt answered questions from the Board. Harvey Young from Young's Bicycle shop expressed concerns and had questions, how will it affect brick and mortar businesses, how will these motorized bicycles work with current infrastructure of road or multi-use paths. Mr. Young noted food trucks have a buffer zone from established restaurants, he feels the same should apply here; what are the unintended consequences? The Board responded to Mr. Young's concerns. Ms. Baxter commented this will affect public property, other towns have regulations in place addressing abandonment and bike parking ordinances, Nantucket does not. Mr. Bridges commented the Board is awarding the proposal tonight, not deciding if doing a bike share program. Mr. Bridges would like BPAC the opportunity to dig into before Memorandum of Understanding (MOU) is issued. Applicants answered questions from the Board. By paper ballot, Ms. Ferrantella voted to award to Sandy Pedals, Mr. Bridges voted to award to Sandy Pedals and Chair Hill Holdgate voted to award to Sandy Pedals. Mr. Fee voted to award to Wheels of Delight. Ms. Baxter will work with Sandy Pedals and BPAC and return to the Board with conditions and MOU.



Agenda Item Summary

Agenda Item #	X. 1.
Date	8/5/2020

Staff

Tucker Holland, Municipal Housing Director

Subject

Request from the Affordable Housing Trust (the "Trust") for the opportunity to share RFP for Neighborhood First Dispersed Site Purchases and Development at August 5th Select Board Meeting and receive any Select Board comments before issuance.

Executive Summary

One of the three strategies recommended by the Neighborhood First Advisory Committee ("NFAC") is the "Dispersed Site Purchases and Development", which seeks to convert so-called "scattered site" existing stock – sometimes with potential additional development within existing zoning on the respective site – into year-round rental stock which would qualify for the Subsidized Housing Inventory ("SHI"), as well as potentially provide appropriate lots for ownership units which would also qualify for the SHI.

Staff Recommendation

Discuss and publicize the RFP at the August 5th Select Board meeting and provide any comments Select Board members may have which could be incorporated before issuance. Note the issuance of the RFP does not obligate the Trust / Town to any purchase. Any properties which came out of the process that the Trust would ultimately recommend for purchase involving an amount over \$100,000 would come back before the Select Board for approval.

Background/Discussion

The issuance of this RFP, in concert with actions already taken by the Trust and supported by the Select Board, is in furtherance of the intent and objectives of the Neighborhood First program and the strategies recommended by the NFAC and Trust as presented at the January 8th, 2020 Select Board meeting.

Impact: Environmental ☐ Fiscal ☐ Community ☒ Other ☐

Strategic goal of creating SHI-eligible housing that serves year-round families.

Board/Commission Recommendation

N/A

Public Outreach

The Trust will be doing paid advertising for RFP opportunity during both August and September as well as promoting via social media and working with groups like the Civic League and others to increase



awareness of the RFP through these organizations' networks. In addition, the Trust will hold a Public Information Session via Zoom at 5:30pm on Thursday, August 27th which will also be broadcast by NCTV18.

Attachments

1. Draft Neighborhood First RFP
2. NFAC Evaluation Chart
3. NFAC Initial Report





DRAFT – 31 July 2020

**AFFORDABLE HOUSING TRUST
REQUEST FOR PROPOSAL (RFP) REGARDING PROPERTIES TO
BE ACQUIRED FOR SHI-ELIGIBLE RENTAL HOUSING
("NEIGHBORHOOD FIRST")**

IMPORTANT DATES

RFP Issuance:	Wednesday, August 12th, 2020
Public Information Session (via Zoom):	Thursday, August 27th, 2020 at 5:30 p.m.
Inquiries Deadline:	Wednesday, September 30rd, 2020 at 1:00 p.m.
Deadline to Register as A Proposer:	Friday, September 25th, 2020 at 1:00 p.m.
Proposal Submission Deadline:	Thursday, October 22nd, 2020 at 10:00 a.m.
<i>Note: respondents to the RFP who meet Minimum Threshold Criteria may be asked to present their proposal to the Review Committee</i>	
Property Selection:	Intended to be made by December 16th, 2020

All times in this document are local time in Nantucket, MA.

I. Request for Proposals

The Town of Nantucket Affordable Housing Trust Fund (the "Trust") is seeking proposals from property owners interested in selling their existing property to the Trust for affordable rental housing purposes which will qualify for inclusion on the Town's Subsidized Housing Inventory ("SHI") as maintained by the Department of Housing and Community Development ("DHCD") and which will assist the Town in obtaining Safe Harbor, as described under M.G.L. c. 40B. The vote of Article 37 of the 2019 Annual Town Meeting ("Neighborhood First") authorized the Select Board to borrow up to \$20 million for the purposes of acquiring existing properties for these purposes.

II. Proposal Submission

The Trust has determined that the award of this contract is subject to M.G.L. c. 30B, known as the Uniform Procurement Act. Therefore, the provisions of M.G.L. c. 30B are incorporated herein by reference.

All proposals must be physically received by **10:00 a.m. on Thursday, October 22nd, 2020** and submitted to:

**Town of Nantucket
Attn: Chief Procurement Officer / Neighborhood First
Finance Department**

**37 Washington Street
Nantucket, MA 02554**

To be considered a complete proposal, all proposals must include the following:

1. Cover page labeled "Neighborhood First Property Proposal." The cover page should also identify the primary contact person and all contact information;
2. All required documents, completed and signed by a duly authorized signatory, including but not limited to Attachments B, C, E and F;
3. One clearly marked unbound and organized original in a format that is easily copied and two(2) bound copies; and
4. An electronic version of the complete proposal on a CD or flash drive;
5. The form contained in Attachment D filled out completely. All questions must be answered and all information requested, where applicable, must be provided.

Proposals that are incomplete or conditional will be rejected. Proposals received after this time will be considered non-responsive and either not accepted or returned to the proposer unopened.

A proposer may correct, modify or withdraw a proposal by written notice received prior to the time set for receipt of proposals (**10:00 a.m. on Thursday, October 22nd, 2020**).

Modifications must be submitted in a sealed envelope labeling the Modification and must reference the original RFP proposal.

Proposals will be opened pursuant to the provisions of M.G.L. c. 30B, §6 (d) at **1:00 p.m. on Thursday, October 22nd, 2020**. A proposer may not change any provision of the proposal after the receipt deadline (**10:00 a.m. on Thursday, October 22nd, 2020**).

The Trust reserves the right to reject any or all proposals or to cancel this RFP if in the Trust's sole discretion it is determined to not be in the best interest of the Trust.

The Trust is under no obligation to acquire any properties brought to its attention under this RFP.

Any questions you may have, whether about the process or the program or any aspect, should be made via e-mail and directed to: procurement@nantucket-ma.gov no later than **1:00 p.m., Wednesday, September 30th, 2020**. Inquiries should have a subject line entitled: *Neighborhood First RFP Inquiry*. Any inquiries after such date will not be accepted. All inquiries and responses will be shared with all Registered Proposers via email.

In order to receive answers to all inquiries and any RFP amendments, interested parties must be registered as a Registered Proposer with the Town. To register as a potential respondent, please send an e-mail to procurement@nantucket-ma.gov no later than **Friday, September 25th, 2020 at 1:00 p.m.** with your name, organization, contact e-mail and indicate in the subject line: *Registered Proposer – Neighborhood First RFP*. As inquiries are made, answers will be provided as expeditiously as possible to all Registered Proposers at the time.

The Town and Trust make no representations or warranties, express or implied as to the accuracy and/or completeness of the information provided in this RFP. This RFP, including all attachments and supplements, is made subject to errors, omissions, and changes to, additional, or different interpretations of laws and regulations.

Proposers' Responsibility for Due Diligence: Proposers should undertake their own review and analyses concerning physical conditions, environmental conditions, applicable zoning, required permits and approvals, and other development and legal considerations.

III. Property Objectives

The Trust is seeking proposals to acquire individual properties which could be suitable to restrict to affordable use under existing zoning by-laws for the Town of Nantucket for the purposes of rental year-round housing and inclusion on the Town's SHI list.

Under Chapter 40B, in order to have a property qualify for the SHI, at least twenty-five (25%) percent of the units on a given property must be rented to income eligible households earning eighty (80%) percent or less of the area median income (AMI) for Nantucket County and meet the requirements for all of the rental units to be eligible for inclusion on the DCHD SHI.

The Trust is particularly interested in properties that are located at dispersed sites relative to proximity to existing affordable housing developments of 5 units or greater.

IV. Proposal Submission Requirements

The form found in Attachment D shall constitute the Minimum Threshold Criteria and must be completed in its entirety – along with required attachments where applicable – in order for a proposal to be considered.

If an entity or individual owns more than one property they would like to have considered, a complete form must be completed for each property and all other requirements noted in Section II above apply in order for a proposal to be considered complete.

Summary of Minimum Criteria:

- A. Total number of existing buildings on the property
- B. Total number of existing housing units on the property
- C. Age of each housing unit on the property
- D. Total number of bedrooms in each existing housing unit
- E. Total number of bathrooms in each existing housing unit
- F. Name, mailing address, e-mail address, phone of the person or entity that has the legal authority to convey the property
- G. Any leases / licenses / easements the property is subject to
- H. When the property would be available for closing

- I. Proposed sales price
- J. Assessor's card
- K. Interior and exterior photos
- L. Smoke Detector Compliance
- M. Ability to subdivide property pursuant to Zoning Bylaws
- N. Ability to subdivide property pursuant to M.G.L. c. 41, §81L
- O. Copy of the deed
- P. Disclosure of any mapped wetlands
- Q. Town water availability
- R. Town sewer availability
- S. If the property is served by septic, a copy of the Title V Inspection report
- T. Disclosure if in Wellhead Protection District
- U. Disclosure of any known Natural Heritage concerns
- V. Plot Plan
- W. As Built Plans
- X. Disclosure of underground oil tank(s)
- Y. Certificate of Occupancy for each habitable building on the property
- Z. Building Permit for any building presently under construction on the property along with description of work being done and expected completion date
- AA. *Anything additional you feel would be material for us to be aware of concerning the property and its ability to be used for affordable housing purposes (optional)*

V. Public Information Session

The Trust will be holding a Public Information Session via Zoom at **5:30 p.m. on Thursday, August 27th, 2020**. All interested parties are encouraged to attend. You may request a participation link as well and furnish any questions you may have in advance by e-mailing: procurement@nantucket-ma.gov by **5:00 p.m. on Wednesday, August 26th**. You may also ask questions of the panelists during the Zoom session. The participation link will also be posted on the Affordable Housing Trust webpage on the Town of Nantucket website.

Arrangements are being made for the session to be live broadcast on NCTV Channel 18 and to be recorded and viewable on the NCTV18 Town Government You Tube Channel following the session.

VI. Evaluation Criteria

Projects meeting the Minimum Threshold Criteria will then be judged on the Comparative Evaluation Criteria (see Attachment A). The Trust will use the comparative criteria for each subject and which will be rated on a scale of Not Advantageous, Advantageous or Highly Advantageous for each listed subject as set forth on the Comparative Evaluation Criteria.

VII. Selection Process and Rules for Award

All proposals submitted by the deadline will be opened pursuant to M.G.L. c. 30B, §6(d) and recorded. All information contained in the proposals is public. The Trust or its designee(s) (i.e.,
Affordable Housing Trust – Neighborhood First Property RFP – **7/31/20 DRAFT** PAGE 4

an evaluation committee) will review and evaluate all proposals that have been received by the submission deadline based on the criteria outlined in the “Comparative Evaluation Criteria.” Evaluation of the proposals will be based on the information provided in the proposer’s submission in accordance with the submission requirements of this RFP and any references, and additional information requested and/or gathered by the Trust.

The Trust reserves the right to select the proposal that best meets the needs of the community and that may not necessarily be the proposal that achieves the highest score. The Trust reserves the right to not acquire any property if it determines in its sole discretion that it is in the best interest of the Trust not to acquire any property.

The Trust will notify all Registered Proposers in writing of its decision.

VIII. Process following Award

For those properties selected for potential acquisition by the Trust, following a vote by the Select Board authorizing such potential acquisition, a formal purchase and sales agreement will be prepared and entered into subject to contingencies allowing for usual and customary practices including but not limited to appraisal, inspection and due diligence. Properties must appraise at sales price or greater.

IX. Attachments

- A. Comparable Evaluation Criteria
- B. Disclosure Statement
- C. Acknowledgement of Receipt of Document
- D. Neighborhood First Proposal Form
- E. Tax Compliance Document
- F. Non-Collusion Document
- G. Smoke / CO Detector Compliance

**ATTACHMENT A: COMPARATIVE EVALUATION CRITERIA
NEIGHBORHOOD FIRST**

	NOT ADVANTAGEOUS	ADVANTAGEOUS	HIGHLY ADVANTAGEOUS
Proximity to SHI-			
One of the intents of the Neighborhood First program is to spread affordable / workforce / year-round housing across the Island	Property is located within 0.50 miles of existing or currently planned SHI-eligible units in developments of 5 units or greater	Property is located between 0.51 and 1.0 miles of existing or currently planned SHI-eligible units in developments of 5 units or greater	Property is located more than 1.01 miles of existing or currently planned SHI-eligible units in developments of 5 units or greater
Property has Existing Structures			
One of the intents of the Neighborhood First program is to utilize improved properties	Property is undisturbed, natural land	Property is developed or previously has been developed	Property has one or more existing housing units
Condition of Existing Housing Units	Property in fair or poor condition in the Trust's sole discretion	Property in good condition in the Trust's sole discretion	Property in excellent condition in the Trust's sole discretion
Potential Number of Units Under Existing Zoning	Less than three units possible	3-5 units possible	More than 5 units possible
Value (Total Cost per Potential Unit)			
Total projected developed cost per potential unit at time of occupancy	More than \$690,000 per unit	Between \$450,000 and \$690,000 per unit	Less than \$450,000 per unit

Proximity to Employment and Goods & Services	Property is located more than 1.01 miles from a commercial place of employment	Property is located between 0.51 and 1.0 miles of a commercial place of employment	Property is located within 0.50 miles of a commercial place of employment
Proximity to Public Transportation	Property is located more than 1.01 miles from a designated public transportation	Property is located between 0.51 and 1.0 miles of a designated public transportation stop	Property is located within 0.50 miles of a designated public transportation
Proximity to Schools	Property is located more than 1.01 miles from public schools	Property is located between 0.51 and 1.0 miles of public schools	Property is located within 0.50 miles of public schools
Availability of Town Sewer & Water at Site	No availability of Town Sewer and Water	Either Town Sewer or Water is available	Both Town Sewer and Water are available
Energy Efficiency of Existing Dwellings	Built more than 20 years ago	Built in the last 11-20 years	Built within the last 10 years
Availability of the Property to Close	Property is available to close only before January 2021 or after June 2021	Property only available to close any time between December 2020 and June 2021 and will not be vacant at closing (e.g., is subject to an ongoing lease)	Property is available to close on any time between December 2020 and June 2021 and will be vacant at closing
Encumbrances	Property is subject to a lease or license post-closing for 1 year or more	Property is subject to a lease or license post-closing for less than one year or more	Property is not subject to any leases or license post-closing

<p>Coastal Resiliency Suitability</p>	<p>Within FEMA flood plain up to and including the 0.2% change flood zone. Broadly corresponds to less than 14-foot topography line</p>	<p>Above the current FEMA flood zone. However, it is within 10 feet approximately of the flood zone. This is a potential area of concern as sea level rise could bring these areas into flood zones by 2100. NOAA sea level rise scenarios for Nantucket could bring 9.25 feet of sea level rise under the high scenario over the sea level in 2000 by 2100. Broadly corresponds to 15-foot to 24-foot topography line.</p>	<p>Above all potential coastal flood zones to 2100. Broadly corresponds to being above the 25-foot topography line.</p>
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ATTACHMENT B: DISCLOSURE STATEMENT

**DISCLOSURE STATEMENT FOR
TRANSACTION WITH A PUBLIC AGENCY CONCERNING REAL PROPERTY
M.G.L. c. 7C, s. 38 (formerly M.G.L. c. 7, s. 40J)**

The undersigned party to a real property transaction with a public agency hereby discloses and certifies, under pains and penalties of perjury, the following information as required by law:

(1) Real Property:

(2) Type of Transaction, Agreement, or Document:

Purchase of property by Town of Nantucket Affordable Housing Trust Fund

(3) Public Agency Participating in Transaction:

Town of Nantucket Affordable Housing Trust Fund, 2 Fairgrounds Road, Nantucket, MA 02554

(4) Disclosing Party's Name and Type of Entity (if not an individual):

(5) Role of Disclosing Party (Check appropriate role):

____ Lessor/Landlord ____ Lessee/Tenant

__X__ Seller/Grantor ____ Buyer/Grantee

____ Other (Please describe): _____

(6) The names and addresses of all persons and individuals who have or will have a direct or indirect beneficial interest in the real property excluding only 1) a stockholder of a corporation the stock of which is listed for sale to the general public with the securities and exchange commission, if such stockholder holds less than ten per cent of the outstanding stock entitled to vote at the annual meeting of such corporation or 2) an owner of a time share that has an interest in a leasehold condominium meeting all of the conditions specified in M.G.L. c. 7C, s. 38, are hereby disclosed as follows (attach additional pages if necessary):

NAME

RESIDENCE

(7) None of the above- named persons is an employee of the Division of Capital Asset Management and Maintenance or an official elected to public office in the Commonwealth of Massachusetts, except as listed below (insert “none” if none): None

(8) The individual signing this statement on behalf of the above-named party acknowledges that he/she has read the following provisions of Chapter 7C, Section 38 (formerly Chapter 7, Section 40J) of the General Laws of Massachusetts:

No agreement to rent or to sell real property to or to rent or purchase real property from a public agency, and no renewal or extension of such agreement, shall be valid and no payment shall be made to the lessor or seller of such property unless a statement, signed, under the penalties of perjury, has been filed by the lessor, lessee, seller or purchaser, and in the case of a corporation by a duly authorized officer thereof giving the true names and addresses of all persons who have or will have a direct or indirect beneficial interest in said property with the commissioner of capital asset management and maintenance. The provisions of this section shall not apply to any stockholder of a corporation the stock of which is listed for sale to the general public with the securities and exchange commission, if such stockholder holds less than ten per cent of the outstanding stock entitled to vote at the annual meeting of such corporation. In the case of an agreement to rent property from a public agency where the lessee’s interest is held by the organization of unit owners of a leasehold condominium created under chapter one hundred and eighty-three A, and time-shares are created in the leasehold condominium under chapter one hundred and eighty-three B, the provisions of this section shall not apply to an owner of a time-share in the leasehold condominium who (i) acquires the time-share on or after a bona fide arms length transfer of such time-share made after the rental agreement with the public agency is executed and (ii) who holds less than three percent of the votes entitled to vote at the annual meeting of such organization of unit owners. A disclosure statement shall also be made in writing, under penalty of perjury, during the term of a rental agreement in case of any change of interest in such property, as provided for above, within thirty days of such change.

Any official elected to public office in the commonwealth, or any employee of the division of capital asset management and maintenance disclosing beneficial interest in real property pursuant to this section, shall identify his position as part of the disclosure statement. The commissioner shall notify the state ethics commission of such names, and shall make copies of any and all disclosure statements received available to the state ethics commission upon request.

The commissioner shall keep a copy of each disclosure statement received available for public inspection during regular business hours.

(9) This Disclosure Statement is hereby signed under penalties of perjury.

Print Name of Disclosing Party (from Section 4, above)

Authorized Signature of Disclosing Party

Date:

Print Name & Title of Authorized Signer

727246NANT19710/0001

ATTACHMENT C: DOCUMENT ACKNOWLEDGMENT FORM

**TOWN OF NANTUCKET AFFORDABLE HOUSING TRUST FUND
DOCUMENT ACKNOWLEDGMENT FORM
NEIGHBORHOOD FIRST RFP**

**I ACKNOWLEDGE RECEIPT OF THIS REQUEST FOR PROPOSALS AND ALL ADDENDA AND UNDERSTAND I
MUST ENCLOSE THIS SIGNED ACKNOWLEDGMENT AS PART OF MY PROPOSAL.**

Name

Property Address

Signed

Date

**ATTACHMENT D: NEIGHBORHOOD FIRST
PROPOSAL FORM / CHECKLIST**

The submission for each property must include the following. These will constitute the minimum criteria. In order to have a "level playing field", and to remain in conformance with state procurement guidelines, proposals that are not entirely complete will be rejected.

A. Total number of existing buildings on the property: _____

B. Total Number of existing housing units on the property: _____

C. Age of each housing unit on the property:

Unit 1: _____ Unit 2: _____ Unit 3: _____

D. Total number of bedrooms in each existing housing unit:

Unit 1: _____ Unit 2: _____ Unit 3: _____

E. Total Number of Bathrooms in Each Existing Housing Unit

Unit 1: _____ Unit 2: _____ Unit 3: _____

F. Name, mailing address, e-mail address, phone of the person or entity that has the legal authority to convey the property:

Name: _____

Address: _____

E-mail address: _____

Phone: _____

G. Are there any leases / licenses / easements the property is subject to?

YES / NO (circle one) *If YES, please list and attach a copy.*

H. When the property would be available for closing (closing date range -- note property must be vacant immediately following closing):

I. Proposed Sales Price:

J. Assessor's Card (attach a copy)

K. Interior and Exterior Photos (attach photos)

L. Smoke Detector and CO Detector Compliant? (see attached sheet)

YES / NO (circle one)

M. Property sub-dividable under regular zoning?

YES / NO (circle one)

N. Property is sub-dividable under 41-81L of the Massachusetts General Laws?

YES / NO (circle one)

O. Deed (attach copy)

P. Is any of the property part of a mapped wetlands?

YES / NO (circle one)

Q. Is the property served by Town Water?

YES / NO (circle one)

R. Is the property served by Town Sewer?

YES / NO (circle one)

S. If the property is served by septic, please include a copy of the Septic Plan as built (attach a copy)

T. If the property is served by septic, please also include a Title V Inspection report; if a report

has not been done, please furnish any available documentation as to the viability of the current system and the number of bedrooms it can support (attach a copy)

- U. Is the property in the Wellhead Protection District?
YES / NO (circle one)
- V. Is the property known to be subject to Natural Heritage concerns?
YES / NO (circle one)
- W. Plot Plan (attach a copy)
- X. As Built Plans (attach a copy; if as built plans are not available, please furnish any available documentation that would relate to the existing building(s) footprint and architecture)
- Y. Is there an underground oil tank?
YES / NO (circle one)
- Z. Copy of the Certificate of Occupancy (CO) for each habitable building on the property (attach a copy of each CO)
- AA. Copy of Building Permit(s) (BP) for any building presently under construction on the property (attach a copy of each BP along with a description of work being performed and expected completion date)
- BB. *Anything additional you feel would be material for us to be aware of concerning the property and its ability to be used for affordable housing purposes (optional)*

ATTACHMENT E: TAX COLLUSION DOCUMENT

[To come from Brian Turbitt]

ATTACHMENT F: NON-COLLUSION DOCUMENT

[To come from Brian Turbitt]

ATTACHMENT G: SMOKE AND CO DETECTOR COMPLIANCE

[See next page]



NANTUCKET FIRE DEPARTMENT

FIRE PREVENTION

4 Fairgrounds Road

Nantucket, MA 02554

(508) 228-2324



Smoke & Carbon Monoxide Requirements When Selling a 1 or 2 Family Residence

As of December 1, 2016

Massachusetts General Law, chapter 148 sections 26F & 26F ½ mandate that upon the sale or transfer of certain homes, the seller must install approved smoke and carbon monoxide alarms. These requirements apply to residences that were built or modified prior to creation of the Massachusetts State Building Code (January 1, 1975). If a building was built or has undergone renovation, addition or modification after Jan. 1, 1975, the date the building permit was issued determines the smoke and CO alarm requirements. Additional information is available on the Massachusetts Department of Fire Services website: <http://www.mass.gov/eopss/agencies/dfs/osfm/fire-prev/smoke-alarm-regulations.html>

Prior to the arrival of the fire department:

- Make sure that your posted street number is **visible from the street** (MGL c.148 § 59);
- Make sure that you have the proper type of alarms;
 - The fire department may require that they be taken down for compliance verification
 - Make sure that all alarms are installed in the proper locations
 - Make sure that all alarms are working properly
- After passing the inspection, the fire department will issue your Certificate of Compliance.

How Do I Know if my Smoke Alarm is More than 10 Years Old or Expired?

The manufacture date is located on the back of the smoke alarm. Carefully remove the alarm from the mounting bracket to check the date. If there is no date marked, the alarm is more than 10 years old. If the date indicates it was manufactured more than 10 years ago, replace it with a new alarm that meets the requirements identified in this guide.

Photoelectric vs. Ionization

Use the chart on the back of this document to determine which type of alarm is acceptable. **Ionization alarms are only acceptable in limited circumstances.**

Photoelectric alarms use light to detect smoke and are more effective in detecting smoldering fires, which have been attributed to more fires involving death.

Ionization alarms use radiation to detect smoke and increase the risk of nuisance alarms caused by steam or cooking smoke. (They are allowed in certain homes, but never within 20 feet of a kitchen or bathroom containing a bathtub or shower.)

Inspection fee is \$50 per dwelling, **per inspection**. If the first inspection fails, it is an additional \$50 for each subsequent inspection.

Nantucket Fire Department

Fire Prevention Office

508-228-2324

FirePrevention@fire.nantucket-ma.gov

NANTUCKET FIRE DEPARTMENT

FIRE PREVENTION

<p style="text-align: center;"><u>Pre-1975</u></p> <p><u>Smoke Alarms</u></p> <ul style="list-style-type: none">• Every habitable level• In the basement• Ceiling at the base of each stairway, including the basement• Ceiling outside each separate sleeping area• Must all be photoelectric <p>Less than 10 years old. Battery-powered alarms must have 10-year, sealed, non-rechargeable, non-replaceable batteries.</p> <p><u>Carbon Monoxide Alarms</u></p> <ul style="list-style-type: none">• Every level, including habitable portions of basements and attics• Within 10 feet of each bedroom door <p>May be either: battery powered, plug-in with battery backup, hardwired with battery backup, or system type.</p>	<p style="text-align: center;"><u>1975-Aug 27, 1997</u></p> <p><u>Smoke Alarms</u></p> <ul style="list-style-type: none">• Must be less than 10 years old• Ceiling outside of each separate sleeping area• Must be hardwired with battery backup <p>Minimum of 1 for every 1,200 square feet of living space per level.</p> <p><u>Carbon Monoxide Alarms</u></p> <ul style="list-style-type: none">• Every level, including habitable portions of basements and attics• Within 10 feet of each bedroom door <p>Combination alarms must have both tone and <u>voice alarm</u> to distinguish type of emergency.</p> <p>May be: battery, plug-in with battery backup, hardwired with battery backup, or system type.</p> <p>***Ionization alarms are not allowed within 20 feet of a kitchen or bathroom containing a bathtub or shower. ***</p>
<p style="text-align: center;"><u>Aug 28, 1997-Jan 1, 2008</u></p> <p><u>Smoke Alarms</u></p> <ul style="list-style-type: none">• Every habitable level• Outside each separate sleeping area• Must be hardwired interconnected with battery backup• Inside every bedroom <p>Minimum of 1 for every 1,200 square feet of living space per level.</p> <p><u>Carbon Monoxide Alarms</u></p> <ul style="list-style-type: none">• Every level, including habitable portions of basements and attics• Within 10 feet of each bedroom door <p>Combination alarms must have both tone and <u>voice alarm</u> to distinguish type of emergency.</p> <p>May be: battery, plug-in with battery backup, hardwired with battery backup, or system type.</p> <p>***Ionization alarms are not allowed within 20 feet of a kitchen or bathroom containing a bathtub or shower. ***</p>	<p style="text-align: center;"><u>Jan 1, 2008-Feb 4, 2011</u></p> <p><u>Smoke Alarms</u></p> <ul style="list-style-type: none">• Every habitable level• Base of each stairway• Outside of each sleeping area• Inside every bedroom• Must be hardwired interconnected with battery backup <p>Minimum of 1 for every 1,200 square feet of living space per level.</p> <p><u>Carbon Monoxide Alarm</u></p> <ul style="list-style-type: none">• Every level including habitable portions of basements and attics• Within 10 feet of each bedroom door• Must be hardwired interconnected with battery backup <p><u>Heat Alarms</u></p> <ul style="list-style-type: none">• Must have heat alarm in garage attached to or under residence <p>***Ionization alarms are not allowed within 20 feet of a kitchen or bathroom containing a bathtub or shower. ***</p>
<p style="text-align: center;"><u>After Feb 4, 2011</u></p> <p><u>Smoke Alarms</u></p> <ul style="list-style-type: none">• Every habitable level• Base of each stairway• Outside of each separate sleeping area• Inside every sleeping area• Must be hardwired interconnected with battery backup• Must all be photoelectric <p>Minimum of 1 for every 1,200 square feet of living space.</p> <p><u>Carbon Monoxide Alarms</u></p> <ul style="list-style-type: none">• Every level including habitable portions of basements and attics• Within 10 feet of each bedroom door• Must be hardwired interconnected with battery backup <p>Combination alarms may be used anywhere. May be separately wired from smoke detection system.</p> <p><u>Heat Alarms</u></p> <ul style="list-style-type: none">• Must have heat alarm in any garage attached to or under residence	

Neighborhood First Advisory Committee - Strategies to Add to Nantucket Affordable Housing Inventory

Evaluation Criteria
November 15, 2019

FOR DISCUSSION WITH AHT

Strategy	Effectiveness at Maintaining 40B Safe Harbor	Effectiveness at Adding Supply to Meet 10% Requirement	Proximity to Employment and Goods & Services	Access to Public Sewer / Water Infrastructure	Creates New Supply	Opportunity for Energy Efficient Design ⁶	Total Cost Per Unit on SHI List	Ability to Use Off-Island Subsidy	Net Local Taxpayer Subsidy per Unit	Efficient Use of Town Financial Resources	Potential Number of New Units Added for \$20MM	Allocation % (Range)
1. Dispersed Site Purchases & Development	Moderate ¹	Low	Low ³	Low	Low ⁵	Moderate	\$ 688,514	Limited ⁷	\$ 669,764 ⁹	Low	30 across the entire island	~10-30%
2. Buy-down of Existing Year-Round Rentals	Moderate ²	Low	Moderate ⁴	Moderate	None	Low	\$ 250,000	None	\$ 250,000 ¹⁰	Low	0 ¹²	0-10% ¹³
3. Multiple Pocket Developments (6-30 units)	High	High	High	High	High	High	\$ 488,630	Moderate/High ⁸	\$ 62,500 ¹¹	High	60-80 total across several locations	~60-90%

FOOTNOTES

- ¹ There is a timing challenge to acquiring 11 properties, improving them, having them not sit vacant for an extended period, and having the timing of approval of multiple LAU applications sync to allow for one year of Safe Harbor
- ² Vacancies would need to be made available at each site which may result in the displacement of current year-round tenants
- ³ Sites spread around the Island would, almost by definition, not necessarily be in proximity to employment and goods & services
- ⁴ Dependent on the location of the existing rental units
- ⁵ Some new units would be built under local zoning at acquired property locations (6 of 24 units according to the proponent pro-forma)
- ⁶ Utility and energy costs go hand-in-hand with affordability
- ⁷ Assumes \$25,000 per existing unit CDBG rehabilitation grant
- ⁸ A factor is the timing of a tax credit award for 6 Fairgrounds Road (Ticcoma Green); this may or may not affect timing of next award to Nantucket depending on overall demand for tax credits and scoring of the next project
- ⁹ According to the March 26, 2019 proponent proforma for Neighborhood First shared in advance of the 2019 Annual Town Meeting and incorporating \$25,000 of CDBG funding per existing unit for rehabilitation
- ¹⁰ Per the proposal submitted by the owner of existing rental units on the Island: \$250,000 per unit the Town would like on the SHI list (25% would be restricted at 80% AMI and the rest would continue to be at market rate)
- ¹¹ Working on this analysis with respect to certain opportunities; for reference, 6 Fairgrounds Road (Ticcoma Green) economics equates to approximately \$62,500 per unit
- ¹² No new units would be added to Island housing inventory, only existing rentals would be converted to count on SHI list
- ¹³ As originally proposed there are numerous issues; however a refined version with better economics and addressing other aspects like displacement, this type of program may merit consideration in filling gaps in achieving Safe Harbor

COMMENTS

General

There is a case-by-case nature to the implementation of each of these strategies; what may be suitable and appropriate in one location may not be so in another

There will be a number of criteria by which each opportunity will be evaluated; in addition to those noted in the chart above, the below have also been identified as factors. More may emerge.

Appropriateness of scale and density in a particular location, with attention paid to current zoning

Massing, design, site layout

Susceptibility to delay

Traffic / parking considerations

How many other SHI unit developments within a certain proximity

The case-dependent nature of the evaluation of opportunities is important to emphasize

Keeping flexibility is key

Strategy 1 - Dispersed Home Purchases:

- Under the Dispersed Home Purchases & Development model, the Town could end up competing with potential year-round buyers
- Maintenance costs for a diverse set of single family homes is unknown
- Based on the original article proponent's economics, we would be paying \$690k to receive a \$12k annual benefit (1.7% ROI)
- Could be attractive / more economical if a portion of sale price is donated
- DHCD has noted concern as the sole strategy for maintaining Safe Harbor, coordinating 11 different sites and LAU applications presents multiple challenges, as well as the likelihood DHCD could not provide additional subsidy
- Consider prioritizing opportunities where existing unit count exceeds three units

Strategy 2 - Buy-down of Existing Year-Round Rentals:

- Buy-down of Existing Rental units results in no equity from Neighborhood First capital
- Under the Buy-down of Existing Rentals model, as proposed, units are already in the year-round rental stock, therefore there would be no increase in year-round supply
- Buy-down of Existing Rental units may require additional investment to ensure units are up to code
- Buy-down of Existing Rentals may result in displacement of current year-round residents in order to meet program requirement of units counting on SHI list
- While original proposition from a specific rental unit owner was not economically compelling, this concept may be worth exploring further
- Exploration of an ownership buy-down program could be explored; units would need to be brought down to 80% AMI to be eligible to count on the SHI list (a requirement of the use of these funds)

Strategy 3 - New Affordable Developments:

- Multiple projects can be organized as mixed-income communities of appropriate scale for the particular location
- Massing, density and aesthetics need to be evaluated on a case-by-case basis; this is a significant concern of the community and the committee
- Potential subsidy from state and federal sources could be in the range of 50% of the cost of new construction
- The Town could seek sites near transportation, employment, school and other services and in so doing reduce reliance on travel by car

Neighborhood First Advisory Committee

Initial Report – Statement of the Housing Situation & SHI List Management

November 15th, 2019 **FOR DISCUSSION WITH AHT**

The Neighborhood First Advisory Committee has been tasked with advising the Nantucket Affordable Housing Trust and Select Board on the most effective means, in accordance with the 2019 Annual Town Meeting article and accompanying ballot measure, to invest \$20,000,000 of Town resources specifically allocated to produce additional housing inventory that is affordable to the year-round community and counts on our Subsidized Housing Inventory.

It is widely acknowledged that Nantucket faces a housing affordability crisis. While Chapter 40B has been on the books since the 1960s, it is only in recent years that our community has begun to focus on “the high cost of doing nothing,” as a recent report by the Cape Cod Commission on the state of housing in our region is titled. Presently, the community is approximately 300 units short of the 490 required by the Commonwealth under Chapter 40B.

Many year-round Nantucket residents pay a high portion of their income in rent, leaving limited resources for other necessities. According to the 2015 Workforce Housing Needs Assessment prepared by RKG Associates, “half of all year-round households are housing cost burdened.” Given the high cost and lack of availability of housing, many residents live in crowded and unsafe living conditions. It is increasingly difficult for businesses, nonprofits and the Town to attract labor to support the economy and provide services to the Island’s year-round and seasonal residents.

The immediate challenge for Nantucket is twofold:

1. Take the lead in causing sufficient housing to be built or purchased to reach the 10% affordable target mandated by the State; and,
2. Provide the housing in a sequence and at a level that permits the Island to be in uninterrupted compliance with Chapter 40B’s Safe Harbor provisions until the 10% target is reached.

We believe with concerted action amongst all Town leaders and the community we can achieve number 1 within five years. Number 2 is more challenging. And even when the 10% requirement is reached, *there will remain an affordability challenge which the Town should address.*

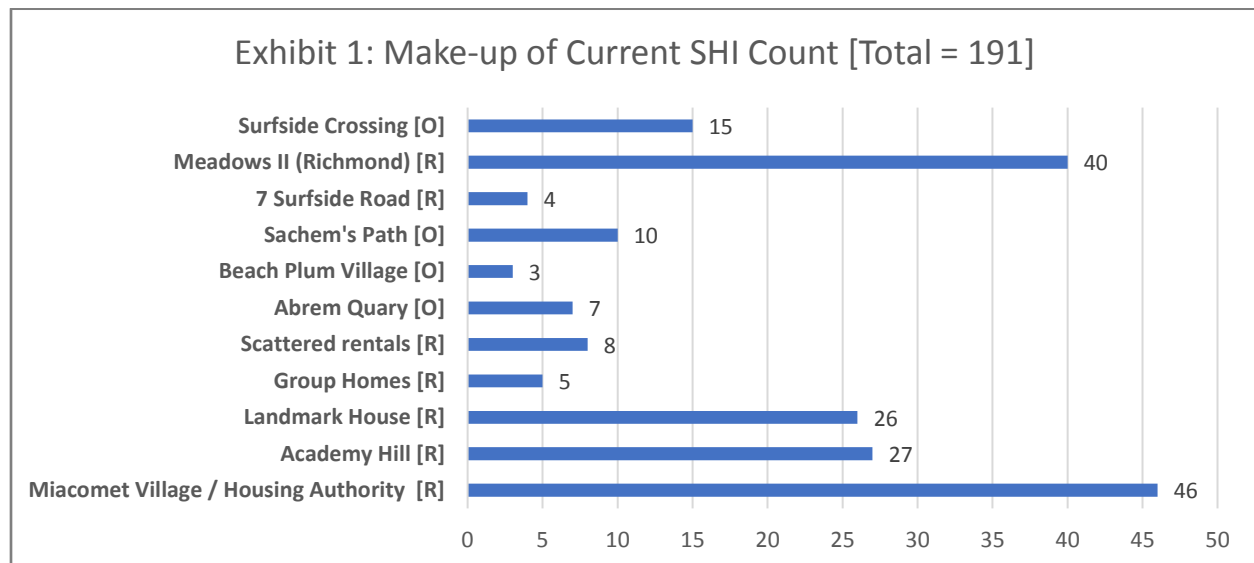
The first step of the Committee was to assess the Island’s housing market and compliance with Massachusetts Chapter 40B legislation. To help the public better understand the complexities of the market and 40B compliance, we have summarized our analysis as a basis for determining the appropriate strategy for this effort.

Massachusetts General Law Chapter 40B requires within all municipalities that 10% of the year-round housing inventory be eligible for inclusion on the Subsidized Housing Inventory (SHI) list. Per the 2010 Census, Nantucket has 4,896 year-round housing units (out of 11,650

total)ⁱ. Therefore, we need to have 490 units on our SHI list to achieve compliance. For a unit to be eligible for inclusion on the SHI list, it must be deed-restricted in the following manner:

1. If it is an ownership dwelling, it must be restricted at 80% AMIⁱⁱ or less
2. If it is part of a rental housing development, at least 25% of the total number of units must be restricted at 80% AMI or less and in that case all the units within the development count on the SHI list (including the other 75% of units serving households earning above 80% AMI)

Nantucket only has 191 affordable units presently on its SHI list, or 3.9% of the total versus the 10% requirement (*see Exhibit 1*). That leaves the island with a large gap of 299 units.ⁱⁱⁱ

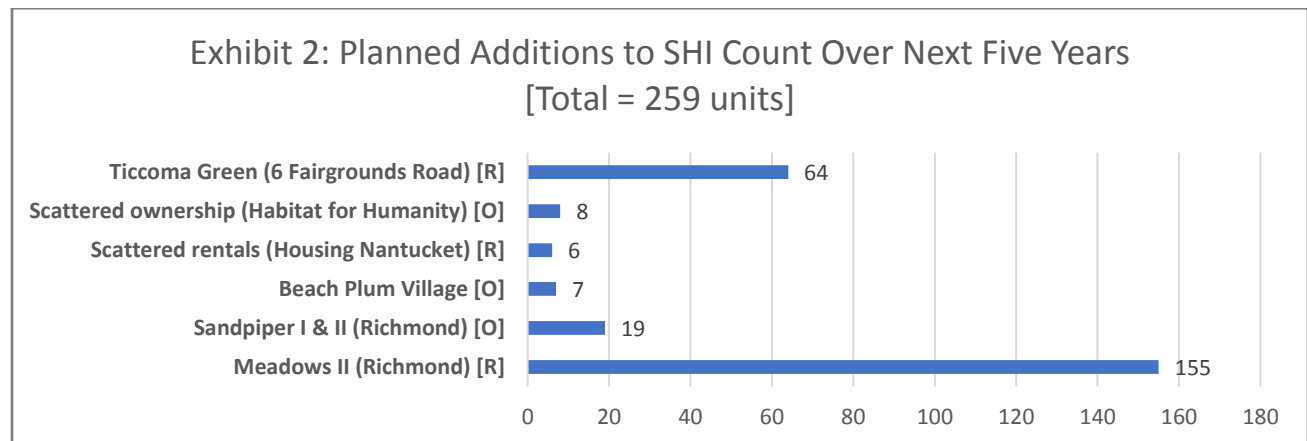


Notes: [R] denotes Rental units; [O] denotes Ownership units; Surfside Crossing and Richmond Meadows II units are still in development; all other units are completed

If the Island is well below the Chapter 40B 10% requirement, and not in Safe Harbor, developers can propose projects with an affordability component. The proposed Surfside Crossing development is an example. If the project does not gain the necessary local approvals through the ZBA, the developer may appeal to a State board (the Housing Appeals Committee or “HAC”) which can override local planning and zoning considerations. The State board is generally sympathetic to such applications. In many cases such projects may be at density levels that are well above the level permitted by local zoning. They may also be in locations not served by public services or proximate to employment and therefore may have an adverse impact on traffic, abutting properties, the environment and infrastructure.

There are a number of known units proposed to be developed in the coming years, plus a handful of existing units in the process of being added to the SHI list, which would add approximately 259 units^{iv} to the inventory (*see Exhibit 2*) over the upcoming period. Assuming all the known units are added, Nantucket would still be 65 units short of the 10% target. (Because the Surfside Crossing development has been appealed by the developers to HAC, and that the litigation process could

take 3-5 years or more, the timing and final number of these units is unclear and therefore we are not including them in this current projection.)



In addition to the aggregate target, the Town must also focus on the timing of the additions. There are “Safe Harbor” provisions designed to give municipalities temporary relief from 40B. If the Town is working in good faith and adding 24 units to the SHI list per year (in Nantucket’s case, as we have an approved Housing Production Plan^v), the Town is in Safe Harbor and not subject to an unfriendly 40B proposal. Based on recent progress, the Town is presently in a Safe Harbor period which is valid through June 13, 2021 and under certain conditions^{vi} it is possible that it could be foreshortened by as much as a year to June 2020.

The Safe Harbor rules are complex and require a comprehensive strategy if the community wishes to remain in Safe Harbor. We have prepared an estimate of possible additions to the current inventory of 191 units which demonstrates a deficit is likely in coming years (*see Exhibit3*).

Exhibit 3: Estimated Timing for SHI Unit Additions	2019	2020	2021	2022	2023
Meadows II (Richmond) [R]	8	44	50	53	
Sandpiper I & II (Richmond) [O]		3	6	6	4
Ticcoma Green (6 Fairgrounds Road) [R]		64			
Beach Plum Village [O]	7				
Scattered rentals (Housing Nantucket) [R]	1	1	2	1	1
Scattered ownership (Habitat for Humanity) [O]		1	3	2	2
Surfside Crossing [O]		-15			
<i>Total =</i>	16	98	61	62	7*
<i>Cumulative total** =</i>	207	305	366	428	435
<i>Units potentially eligible to count for Safe Harbor =</i>	8***	0***	5	3	3
<i>Minimum Safe Harbor deficit**** =</i>	0	0	19	21	21

[R] denotes Rental units; [O] denotes Ownership units

*There are an additional 30 rental units within Meadows II that may come on to the SHI list on or about this time; however, the property on which they would be built is subject to life estate benefitting Walter Glowacki, therefore there

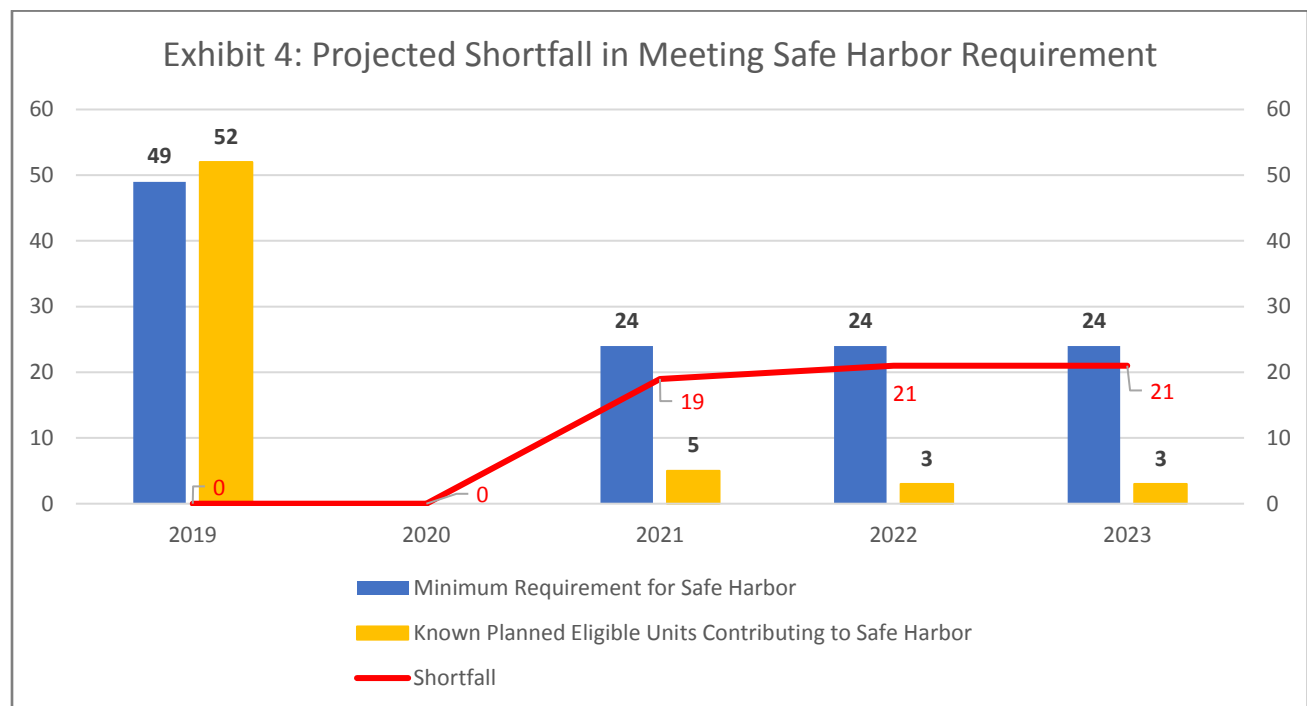
is no certainty around the timing for these specific units to be developed and they therefore are not reflected in the totals for the period

**** accounts for the 15 eligible Surfside Crossing units coming off the SHI list due to appeal / litigation**

***** we are already in a two-year period of Safe Harbor (presently until June 13th, 2021)**

****** assumes Town in Safe Harbor until June 2021; assumes all eligible planned unit creation would take place in first four months of the year and thus be eligible toward new and uninterrupted Safe Harbor periods**

Based on what we know today about planned units that may contribute to a future Safe Harbor period, Nantucket is expected to be in a deficit situation for 2021, 2022 and 2023.



Note that in 2019 we have a minimum of 52 units that are eligible toward a two-year certification (Safe Harbor), not including the Surfside Crossing units; therefore, there is no requirement for additional units in 2020 to remain in Safe Harbor so long as the Meadows II units receive their Certificates of Occupancy within 18 months of issuance of Building Permit.

It is important to note that this analysis does not include the ultimate impact of additional investments such as the \$5 million bonding provided by the CPC, which the CPC authorized with the purpose of land acquisition for housing development. These funds can produce units with income restriction up to 100% AMI and may produce additional units that would be SHI and Safe Harbor (certification) eligible. The counts reflected are based upon the information we have available today. In general, multiple factors could accelerate or slow the pace reflected above.

In summary, without continued action by the Town today to plan for the foreseeable future, it is likely that Nantucket will return to being out of compliance with the Commonwealth's requirements and therefore subject to unfriendly 40B proposals. Following the 2019 Annual Town Meeting and the subsequent ballot vote authorizing the Town to borrow up to \$20 million to invest in additional workforce housing solutions for the community, the Neighborhood First Advisory

Committee was established to advise the Nantucket Affordable Housing Trust and the Select Board on the most efficient and effective use of those monies.

The next step is for the Committee to evaluate strategies to add inventory to the SHI list and to make recommendations for the most effective means to reach the 10% target and remain in Safe Harbor in the interim.

ⁱ Note that the year-round inventory will be updated in late 2021 / early 2022 with the results of the 2020 census. The best current estimate is that there will not be a material change in our 10% requirement. While there is new construction there also has been an offsetting purchase by seasonal residents, or by investors who operate on a short-term rental basis, of units previously owned by year-round residents.

ⁱⁱ AMI = Area Median Income; in Nantucket's case, 100% of Area Median Income equates in 2019 to a family of four earning \$116,400 (gross) per year. The 80% AMI maximum income limit for a family of four on Nantucket is \$75,900.

ⁱⁱⁱ Note that the year-round inventory will be updated in late 2021 / early 2022 with the results of the 2020 census. The best current estimate is that there will not be a material change in our 10% requirement. While there is new construction there also has been an offsetting purchase by seasonal residents, or by investors who operate on a short-term rental basis, of units previously owned by year-round residents.

^{iv} 30 of the Richmond rental units are subject to a life estate benefitting Walter Glowacki, therefore when they will be constructed and count on the SHI list is unknown

^v When a municipality has a Housing Production Plan that is approved by the Department of Housing and Community Development, the requirement for Safe Harbor by demonstrated annual production is reduced by half (0.5% versus 1%). In Nantucket's case, we need to "produce" 24 units in one calendar year to achieve one year of Safe Harbor. 49 units would gain us two years of Safe Harbor. Two years is the maximum before needing to reapply for certification.

^{vi} Approved developments must pull building permits within 12 months of project approval by the local permitting board and the development must receive its certificate(s) of occupancy within 18 months of building permit issuance for units to remain on the SHI list and be eligible to contribute to Safe Harbor.

From: ml@marylongacre.com
To: [Erika Mooney](#)
Cc: [Vincent Murphy](#)
Subject: RE: Remarks from Mary Longacre re CRAC recommendation
Date: Sunday, August 2, 2020 6:38:33 PM

Hi Erika-

If you are making any additions to the Select Board packet for August 5th, would you include my opening remarks from the July 15th meeting (below.) If they are available to the Select Board through the packet, that might save some time & questions.

Looks like it might be a long night on Wednesday!

Thanks for your help.

Mary Longacre
202-415-7843 cell

From: ml@marylongacre.com <ml@marylongacre.com>
Sent: Wednesday, July 15, 2020 6:48 PM
To: 'Erika Mooney' <EMooney@nantucket-ma.gov>
Cc: 'Vincent Murphy' <vmurphy@nantucket-ma.gov>
Subject: 7/15/20 Remarks from Mary Longacre re CRAC recommendation

Hi Erika-

Here are my prepared remarks which I gave as an Opening Statement for the CRAC recommendation:

The Coastal Resilience Advisory Committee was formed by the Select Board one year ago to assist the newly hired Coastal Resilience Co-ordinator, Vince Murphy, with implementing a coastal resilience plan, with integrating the coastal resilience plan with other Town planning documents, with reviewing existing regulations, and with keeping the Select Board up to date on impacts from sea level rise.

Thanks to hard work from the Committee, but primarily by Vince, Holly Backus, and Chuck Larson, we expect the contract for developing the Coastal Resilience Plan to be awarded to a consulting firm at the end of this summer. This is unfortunately two years behind the Town's original schedule, and we anticipate it will be a further 12-18 months before the

Town receives the final plan.

In the interim, the Coastal Resilience Advisory Committee feels it's important to begin incorporating sea level rise planning into current projects. The Town received a Coastal Risk Assessment & Resilience Strategies report from Malone & McBroom in January which offers a sobering look at the risks the Town faces from sea level rise; however the report doesn't recommend specific mitigation solutions for specific areas, which is what the future Coastal Resilience Plan will do.

The Strategies report does offer this recommendation on page 26:

“For planning purposes, it is advisable to use intermediate or high sea level rise projections such that a community will be better protected against worst-case scenarios.”

This report offers several sets of projections, such as those from NOAA, the Army Corps of Engineers, and Massachusetts, each of which contains several scenarios, is calculated from different data, and looks at different future timeframes. One of the points that came up in our Committee discussion of the Strategies report is the need for a specific standard to provide clear guidance. With our recommendation, we wanted to extract from the Strategies report these key points:

- to be aware of sea level rise
- to plan accordingly until we have more location-specific guidance from the Coastal Resilience Plan in 2021.

Therefore the Coastal Resilience Advisory Committee is making this recommendation to provide awareness, clarity, and in preparation for the 2021 Coastal Resilience Plan.

Mary Longacre
202-415-7843 cell

Coastal Resilience Advisory Committee (CRAC) recommendation to Select Board

Recommendation

Pending the Select Board's acceptance of a detailed Coastal Resilience Plan and its specific project recommendations (for which an RFP is currently in the procurement process), the CRAC proposes the following recommendation to the SB:

"The CRAC recommends all Town Departments, Boards, Commissions and Committees and any service providers, contracted engineers and consultants need to be aware of and need to use the NOAA "High" scenario to accommodate current storm surge as well as Sea Level Rise in their decisions, deliberations and planning. These data are periodically updated by NOAA and will be posted on the CRAC page on the Town's website."

Intent

The purpose of the recommendation is to supplement FEMA flood elevations as FEMA flood elevations do not include sea level rise.

Supporting information

Sea Level Rise (SLR) data and Coastal Resilience strategies are listed in the Town of Nantucket Coastal Resilience Risk Assessment and Strategies report that was received by the Town in January 2020: <https://www.nantucket-ma.gov/DocumentCenter/View/35045/Coastal-Risk-Assessment-and-Resiliency-Strategies-Report-January-2020-PDF>. This is now a guiding document for CRAC and is a reference for all Town staff and vendors to make public infrastructure and private construction & development projects more resilient to Sea Level Rise and coastal flooding. Projects should look at the Sea Level Rise scenario and risk tolerance that is appropriate for the expected service life of the project.

Nantucket Sea Level Rise Scenarios

NOAA has developed Sea Level Rise scenarios specific to Nantucket. Due to the orientation of the harbor, and the position of the island off the Northeast coast, the island is projected to experience higher levels of Sea Level Rise than the global average.

NOAA (2017) SLR scenarios are presented in **Table 1**. The relative sea level rise scenarios shown in this table are derived from the 2017 NOAA Technical Report NOS CO-OPS 083 "Global and regional sea level rise scenarios for the United States" and use the same methods as the U. S. Army Corps of Engineers Sea Level Rise Calculator. 2017 NOAA report available here https://tidesandcurrents.noaa.gov/publications/techrpt83_Global_and_Regional_SLR_Scenarios_for_the_US_final.pdf

The CRAC recommends following the "High" NOAA scenario to accommodate current storm surge as well as Sea Level Rise. (See **Storm frequency and impact on SLR** section on the next page). The upward trend in sea level rise also worsens the impact of storm surge, high tides and wave action. Use the table as a guide for selecting the elevations that are appropriate for the lifespan of the project, project risk tolerance and the project's adaptive capability.

Table 1. NOAA SLR scenarios. All elevations are in feet above local mean sea level (LMSL) relative to year 2000.

Year	Low	Int-Low	Intermediate	Int-High	High	Extreme
2000	0.00	0.00	0.00	0.00	0.00	0.00
2010	0.16	0.20	0.26	0.36	0.43	0.46
2020	0.36	0.43	0.59	0.79	0.92	0.95
2030	0.52	0.62	0.92	1.21	1.48	1.64
2040	0.72	0.85	1.28	1.77	2.26	2.49
2050	0.89	1.05	1.71	2.36	3.12	3.54
2060	1.08	1.31	2.17	3.05	4.13	4.82
2070	1.21	1.51	2.66	3.81	5.15	6.17
2080	1.38	1.71	3.22	4.66	6.36	7.71
2090	1.48	1.87	3.77	5.58	7.74	9.51
2100	1.57	2.03	4.33	6.56	9.25	11.42

Storm frequency and impact on SLR

Critical infrastructure, high value infrastructure, infrastructure with long life expectancy, infrastructure that would not tolerate flooding, or other infrastructure that is currently not in a flood zone but is near a flood zone may need to be designed to resist the combination of SLR and storm impacts.

The U.S. Army Corp of Engineers (USACE) commissioned a report published in 2014 called “North Atlantic Coast Comprehensive Study”. Phase 1 of the report, “Statistical Analysis of Historical Extreme Water levels with Sea Level Change”, looks at historical water levels and combines that data with storm surge modeling. This differs from many other SLR projections that are limited to increases in mean sea level and do not estimate high water elevations during future storms. The report projects to the year 2114, looking out 100 years from the report’s baseline year. This data is for the North Atlantic area, and not Nantucket specific.

The USACE report is available on the Town website <https://nantucket-ma.gov/DocumentCenter/View/36719/North-Atlantic-Coast-Comprehensive-Study-Phase-1-Report-Statistical-Analysis-of-Historical-Extreme-Water-levels-with-Sea-Level-Change-PDF>

Storm Surge

Storm events, particularly from the Northeast, have the potential to temporarily increase the water level in Nantucket Harbor and cause flooding. Stormtide stacking may also occur when the wind does not allow the low tide to release high tide waters from the harbor. Subsequent high tides can “stack” more water in the harbor and compound flooding. Stormtide pathways were studied and added to the Town of Nantucket GIS online mapping system, which can be accessed here to evaluate potential risk to developments and projects: <https://www.nantucket-ma.gov/151/GIS-Maps>

Monthly Town Management Activities Report

August 5, 2020

As of 07/31/20

Highlights (major projects):

Plans/Reports/Studies*

- Coastal Resiliency Plan – process with Coastal Resiliency Adv Committee; *Interim Recommendation before SB on 8/5*
- Strategic Plan (implementation on-going)
- Sustainability Office Structure – still need to schedule presentation with SB
- Dredge Plan (working to schedule status/scope with SB)
- Community Wildfire Protection Plan – underway
- *COVID19 Workplace Safety Standards Plans*
- *COVID19 Economic Recovery Plan*
- *COVID 19 Enforcement Plan*
- *Capital Project Management Plan - underway*

*except for the *italicized* items all of these have been on hold

Meetings

- Department Head 1:1 meetings have resumed
- Cabinet – meeting weekly
- Admin Staff – meeting weekly
- Agenda Prep – weekly meetings
- Select Board – individual meetings
- COVID-Related: Beach Preparation Meeting(s) (bi-weekly)
- 2021 Annual Town Meeting and Election planning - underway
- Bi-Weekly MMA with Lt Governor
- Cape Cod Managers - monthly
- Economic recovery items – significant focus on outdoor dining set-up; now dealing with enforcement and other issues (trash)
- Annual Nantucket Community Association Forum 8/4
- Summer Meetings with Advisory Committee of Non-Voting Taxpayers; Nantucket Civic League President's breakfast
- Finance Committee “way of working” meeting
- Training: “Living in an Uncertain World: Conversations about Race” (webinar for town employees)

Projects/Other*

- COVID-Related: Getting businesses back to work/Meetings/Permitting/Outdoor approvals/Toolkit updates/etc.
- COVID-Related: CARES Act reimbursement; working on projections for various depts
- COVID 19 Public Outreach, Meetings, Communications, Videos, Phone/Video Conferences, press conference monitoring, PCR testing, on-going press inquiries, COVID education volunteer program, ETC
- COVID-Related: Beach guidelines – working on outreach & messaging
- COVID-Related: Employee Testing Program – underway (certain “higher risk” employee groups only)
- COVID-Related: Responding to Questions re: the Governor's latest Travel Order (#45)
- COVID-Related: Creating consistent signage/messaging for businesses
- Harbormaster Building
- Town Pier
- Old Fire Station Reuse (short-term); including installation of trailer for additional meeting space (plans being finalized)
- Senior Center

- Our Island Home
- Strategy re Public Beach Access (per 10/16/19 SB vote) – need to schedule xs
- Plastics Ban Outreach/Public Education
- FY21 MVP/HMP Grant deadline
- MVP/HMP Gap Analysis (FY20 MVP Grant)
- Laserfiche Document Management (resumed in May with NRD and PH pilot test)
- DPW paving and sidewalk projects
- 2020 STM vs 2021 ATM – discussions, logistics, etc
- PFAS Response Development
- Solar array project at WWCo property between Milestone Rd & Old S Rd

MANY ITEMS HAVE HAD TO BE PUT ON HOLD DUE TO COVID-19 PANDEMIC RESPONSE

Personnel

- Hiring Freeze/”Chill” except for essential positions
- COVID 19 Public Health Inspectors
- Collective Bargaining Negotiations (all units)
- Equity Officer

Current Committee/Board/Commission Appointment Process
As of 07/29/20

Annual Committee/Board/Commission Appointments

- Early April - a list of annual committee/board/commission ("committee") openings with a timeline for appointments is prepared by Town Administration and reviewed by the Select Board, at a public Wednesday Board meeting.
- Mid-April - committee openings are added to the Select Board agenda as an announcement to keep the public informed and hopefully encourages participation and applications; this announcement typically stays on the agenda through the end of May.
- Around the 3rd week of April, incumbents are notified of their term expirations and asked to fill out a Committee Interest Form if they would like to be considered for re-appointment, or to notify Town Administration by letter or email that they will not be seeking re-appointment. Incumbents are asked to reply by the Friday prior to the public hearing date.
- Committee openings and public hearing dates are advertised on the Town's website and for four weeks in the I&M - usually the last two weeks in April and the first two weeks of May. Deadlines for submission of applications is advertised as the Friday before the public hearing date; however, it has been the Board's informal policy to allow applications to be submitted past the printed deadlines.
- Two public hearings are held to allow applicants to speak on their applications and answer any questions from Board members and/or questions or comments from the public. The dates of these public hearings are typically the last meeting of May and the first meeting of June.
- Committee appointments are made at the Board's last meeting in June.
- The Board usually appoints applicants by acclamation if there is an equal number of applicants to available seats or if the number of applicants is less than the number of available seats.
- For committees where the number of applicants exceeds the available seats, the Board typically votes by paper ballot as follows: each Board member writes their own name on a slip of paper, and then on that paper, writes down their vote for the applicant(s) and passes their paper ballot directly to the chair without other members viewing the ballot. The Chair then reads the votes, including which Board member voted for which applicant(s). Whoever has the most votes is appointed to the committee.
- Any committee seats not filled will continue to be posted on the Town website and routinely advertised as vacant. If an application(s) is received to fill a vacancy, the application(s) is added to an upcoming Select Board agenda for

Board consideration. Typically, the Board votes on the appointment - either using the paper ballot process if there are more applicants than seats; or, a simple vote to appoint - if there is only one applicant.

*Mid-Year or Rolling Vacancies**

Similar process; different dates

**Note: the process for filling vacancies on the Planning Board, HDC and School Committee are set forth by Statute.*

Possible modifications - based on feedback received:

- Change the application submittal date to the Monday one week and two days prior to the public hearing
- Include the applications in the Select Board meeting packet the week received and the following week when the hearing will take place
- Read the names of the applicants who have submitted applications, the week prior to the hearing
- Allow candidates to address the Board at either meeting; allow Board member questions at either meeting
- Do not have a “public hearing”; rather, have a “candidate forum” or “candidate interviews”
- If the public wishes to comment on any applicant/application, they may do so in writing to the Board

From: [Doug Rose](#)
To: [Erika Mooney](#); [Dawn Hill Holdgate](#); [Jason M. Bridges](#); [Matt Fee](#); [Kristie Ferrantella](#); [Melissa B. Murphy](#)
Subject: Re: Suggested improvements to committee appointments process
Date: Thursday, July 30, 2020 4:47:43 PM

Dear Select Board,

As the Select Board weighs various options for improving the process by which appointments are made to committees, commissions and boards, I would like to re-submit the email thread below, and refine my suggestions a bit.

Goals of process changes:

1. Promote transparency in the appointment process, in terms of both perception and reality
2. Foster greater participation in town government
3. Promote civil discourse in the community by modeling it in government

Process improvement suggestions:

1. Publish and adhere to **clear, consistent deadlines** for accepting applications.
 - The application deadline should provide sufficient lead time to allow for public input prior to appointment votes.
2. Publish list of candidates for all contested seats, and invite public comments to be submitted to the Operations Administrator via email.
3. Appointment votes for any contested seats should be held in a **public SB hearing**, with the following guidelines:
 - Select Board members will **review all public comments** relating to contested seats prior to the meeting.
 - *Note: while the chair should have the discretion to allow it, live public comments in this hearing should not be necessary, and could potentially be unhelpful in terms of insisting on civil discourse.*
 - The agenda should call for an **open and objective group discussion** of each applicant's qualifications, and any relevant public input.
 - *Note: if that discussion can remain focused on the relative qualities and qualifications of each candidate for the position, there's no reason why it couldn't/shouldn't take place in open session.*
 - Appointment decisions should be made via **roll call voting**.
 - Appointments to uncontested seats can be made in executive session, if that's a more efficient use of time.
4. As a separate but related process question, it might be helpful to investigate what other municipalities do to foster more civic engagement, and specifically to encourage more citizens to apply for appointed positions in town government.

Thanks to all of you for your service to the community.

Best,
Doug Rose
22 Fair Street (seasonal/non-voting taxpayer)

chippersdad074@gmail.com

On Jun 24, 2020, at 7:40 PM, Doug Rose <chippersdad074@gmail.com> wrote:

Per my live comment on the zoom call: A quick follow up note regarding the discussion at tonight's SB discussion...

I would respectfully challenge Mr. Giorgio's discounting a deadline as a "so called" deadline. Deadlines are deadlines, and serve an important purpose: to enable for full and equal public disclosure and vetting of all candidates vying for an important committee seat. Without deadlines, people can enter their name at the 11th hour, and circumvent all the other processes that ensure that the board and the public are fully aware of and can fully weigh in on all the applicants equally.

Thank you again.
Doug Rose

On Jun 24, 2020, at 2:01 PM, Doug Rose
<chippersdad074@gmail.com> wrote:

Dear Nantucket Select Board,

I'm writing to express concern over — and offer some suggested improvements to — the Select Board's current committee appointments process. In keeping with a long-standing SB tradition, the appointments announced for contested seats during the 6/17/20 Select Board meeting were the result of a private ballot, where each board member submitted their vote via email, prior to the meeting. My understanding is that there was no collective Board discussion — either in public or even in closed session — regarding each of the candidates' qualifications/suitability for the positions. I believe this private ballot process has at least three significant flaws:

1. Although each board member's votes were announced, the absence of any discussion meant that their rationale remained opaque to the public. This is inconsistent with the spirit of transparency that state and local government bylaws call for, and that this Board works hard to uphold.
2. As we're seeing now, the net effect of this private deliberation process is public speculation as to what factors *really* drove the decisions of each board member. Some will assume that appointments are just a popularity contest — or worse, a conspiracy to advance personal/business interests over those of the community. Hearing board members discuss the relative strengths of the candidates won't eliminate all speculation, but in the absence of daylight, conspiracy theories are allowed to fester.
3. Perhaps most importantly, the lack of any group discussion is a

missed opportunity for Board members to hear and weigh differing perspectives on each candidates' strengths, and to benefit from everyone's best thinking.

In a community as small as Nantucket, where everyone knows everyone, it's unrealistic to expect any individual Board member to be truly objective — i.e. to completely ignore one's own personal or professional history — with every candidate. All the more reason the Board should allow for a robust group discussion, where people can share different perspectives on each candidate's strengths and opportunity areas. And if that discussion can remain focused on the relative qualifications of each candidate for the position — NOT getting sidetracked by irrelevant history or personality issues — there's no reason why it couldn't/shouldn't take place in open session.

If there's concern that a group discussion of candidates' qualifications might be too sensitive to have in public, I'd only remind the Select Board of a fact that each of you live with every day: that anyone who puts their hat in the ring for a town position, whether elected or appointed, does so with the expectation that it's an open competition, and that their qualifications relative to other candidates are going to be considered, and debated, in public. If candidates only want to hear people praise their perceived strengths and never consider their perceived weaknesses/challenges, they should not be running for office.

This all seems blindingly obvious to me. The Select Board debates controversial issues in every meeting, and you get lots of passionate feedback. Really - why should committee appointments be any different?

Thanks for your consideration.

Respectfully,
Doug Rose
22 Fair Street (seasonal /non-voting taxpayer)
Chippersdad074@gmail.com

Sent from my iPad

July 31, 2020

TO: Members of the Nantucket Select Board
Dawn Hill Holdgate, dhillholdgate@nantucket-ma.gov
Jason Bridges, jmbridges@nantucket-ma.gov
Matt Fee, mfee@nantucket-ma.gov
Krisi Ferantella, kferrantella@nantucket-ma.gov
Melissa Murphy, mbmurphy@nantucket-ma.gov

CC: Libby Gibson, Town Manager, TownManager@nantucket-ma.gov
Erika Mooney, Operations Director, Emooney@nantucket-ma.gov

RE: Discussion of Town Policy Regarding Appointments to Boards, Committees and Commissions

FROM: Judith Welch Wegner

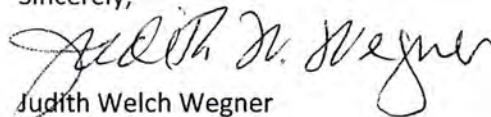
Dear Members of the Select Board:

I am writing as a private citizen to follow up on your recent discussions regarding procedures for appointments to Nantucket boards, committees, and commissions. Thank you for your commitment to review and update related town policies.

I understand that this topic will be discussed at an upcoming Select Board meeting. In order to assist the Board's deliberations I've spent some time examining practices elsewhere and have structured my comments in the form of a draft resolution that (1) provides a comprehensive statement of possible town policy for your consideration; (2) suggests elements to be addressed in a revised handbook, and (3) identifies topics for possible consideration by the Town Government Advisory Committee.

I hope that you will find these comments helpful and encourage you to consider them at your upcoming meeting on related topics.

Sincerely,



Judith Welch Wegner

50 Quidnet Road

Nantucket, MA 02554

(508) 228-4270

judithwegner@gmail.com

DRAFT RESOLUTION (Draft 7/31/2020 JWW7)

WHEREAS, the Nantucket Select Board wishes to strengthen the process of appointing candidates to boards, committees, and commissions under its jurisdiction; and

WHEREAS, the Nantucket Select Board desires to foster more transparent and effective local governance,

NOW, THEREFORE, BE IT RESOLVED:

1. Policy Statement on Appointments to Nantucket Boards, Committees, Commissions. The Nantucket Select Board adopts the following policy statement regarding the process of appointing candidates to boards, committees, and commissions under its jurisdiction.

a. Extent of Application.

- i. *[Need to check on and list which boards, committees, and commissions are covered.]*
- ii. *[Need to check whether there are others made by other affiliated entities such as Town Administration and other town boards or other entities that themselves make appointments].*
- iii. *[Also need to check on whether there are appointments by the Nantucket County Commission that need to be covered/ listed].*

b. Guiding Principles. The following principles guide the Select Board's appointment of candidates to Nantucket boards, committees, and commissions:

- i. Candidate Background and Qualifications. The Select Board desires to appoint candidates to appointed boards, committees and commissions based on careful consideration of the following factors:
 - 1) Expertise, experience, and background relevant to the specific responsibilities of the particular board, committee, or commission;
 - 2) Broad perspective about the public interest and commitment to serve the public at large rather than to benefit from personal gain;
 - 3) Sound judgment;

- 4) Diligence in performing duties, including attendance, punctuality, preparation, and completion of assignments;
- 5) Commitment to and experience in working with diverse populations (including racial, economic, gender, LGBTQ, political and other forms of diversity);
- 6) Record of civility, mutual respect for others, and ability to collaborate effectively across divergent views;
- 7) Such other factors as may from time to time be relevant to effective performance as a member of the particular board, committee, or commission.

ii. Select Board Commitments. Prior to making appointments to particular boards, committees, or commissions, all members of the Select Board commit to

- 1) Review the specific responsibilities of each board, committee, or commission to which appointments are to be made;
- 2) Review the information on background and qualifications submitted by each candidate for possible appointment;
- 3) Review questions, comments, and concerns received from community members;
- 4) Disclose and otherwise address any conflicts of interest, including but not limited to those addressed under Massachusetts G.L. Ch. 268A and other pertinent laws and policies that might or might appear to affect their decisions on appointments;
- 5) Follow procedures set forth in this policy in making appointments

c. Candidates: Recruitment and Application

i. Recruitment.

1) *Talent Bank/Applicant Pool.*

a) *Establishment.* The Select Board hereby establishes the Nantucket Talent Bank/Applicant Pool as a means by which community members may express preliminary interest and provide background information regarding possible future appointment to Nantucket boards, committees, or commissions. Filing an expression of possible interest with the Nantucket Talent Bank/Applicant Pool does not itself constitute an application for appointment, but rather assists the Town and prospective applicants to identify those who may wish to be considered for future

1 appointments and to advise prospective applicants about vacancies as they become
2 available.

3 b) *Notices.* The Town will periodically publish notices on its website and in other
4 appropriate venues inviting applicants to submit initial expressions of interest and
5 background information to the Nantucket Talent Bank/Applicant Pool.

6 c) *Timing of Submissions.* A community member who is potentially interested in
7 serving in an appointed position on a covered board, committee, or commission
8 may file an preliminary expression of interest and initial background information
9 with the Nantucket Talent Bank/Application Pool at any time. Applicants submitting
10 information through this mechanism may identify the boards, committees, and
11 commissions in which they have special interest and relevant background, and
12 provide other information as specified in this policy. If prospective applicants
13 subsequently seek appointment to a board, committee, or commission, they will be
14 required to complete a full updated version of the relevant application form.

15 d) *Periodic Canvass of Ongoing Interest.* On at least a yearly basis, at the time when
16 the Notice of Upcoming Vacancies is published, town staff will contact community
17 members who have previously submitted initial expressions of interest and related
18 information to the Nantucket Talent Bank/Applicant Pool to inquire whether they
19 wish to be considered for specific upcoming vacancies and if so to advise them how
20 to submit an application.

21 e) *Duration of Inclusion.* Expressions of interest and related submissions to the
22 Nantucket Talent Bank/Application Pool will be retained on file for a period of three
23 years from the date of initial submission, unless withdrawn or resubmitted for an
24 additional period.

25
26 2) Notice to eligible incumbents

27
28 a) *Notice and Timely Application.* At least three calendar weeks prior to the
29 publication of a notice of upcoming vacancies, Town staff will contact incumbents in
30 appointed positions who are eligible for reappointment and invite them to submit
31 applications for reappointment using the pertinent application form. Applications
32 from incumbents are expected to be submitted to Town staff no later than two

1 calendar weeks from the date on which Town staff contact incumbents about their
2 potential interest in reappointment, if incumbents wish to be listed as an incumbent
3 on the related Notice of Upcoming Vacancies

- 4 b) *Listing as Incumbent.* In the event that an eligible incumbent submits a timely and
5 complete application for reappointment, the incumbent's name will be listed with
6 the designation of "incumbent" on the list of upcoming vacancies published by the
7 Town as set forth in this policy.

8
9 3) Notice of Upcoming Vacancies.

- 10 a) *Official Notice.* In addition to maintenance of the Nantucket Talent Bank/Applicant
11 Pool, the Select Board will cause to be published on its website, through local news
12 media, and other venues a Notice listing upcoming vacancies for which
13 appointments are to be made.
- 14 b) *Content and Due Dates.* The Notice will also address due dates for applications and
15 information about the application process.
- 16 c) *Repeated Publication.* Publication of such notice will occur at least twice, at two-
17 calendar-week intervals, prior to the commencement of review of potential
18 appointees.

19
20 4) Limitation on Eligibility to Candidates with Complete and Timely Applications. Only
21 applicants who have filed complete and timely applications may be considered for
22 appointment.

23
24 5) Insufficient Qualified Candidates.

- 25 a) *Insufficient Qualified Candidates at Time of Routine Appointments.* In the event that
26 insufficient qualified applications are submitted by the time set for closing of
27 applications, a subsequent canvass of potential applicants included in the Nantucket
28 Talent Bank/Applicant Pool will be conducted and if necessary a subsequent notice
29 of upcoming vacancies will be conducted in order to fill a vacancy.
- 30 b) *Ongoing Lack of Qualified Candidates.* If there is an ongoing lack of qualified
31 candidates for appointment, notwithstanding efforts to secure additional
32 candidates as indicated in this section, the Select Board will consider whether the

board, committee, or commission should continue in operation with an ongoing vacancy or whether action should be taken to consolidate or abolish the board, committee, or commission.

ii. Application Form. All applicants for appointment to boards, committees, or commissions under the jurisdiction of the Select Board will complete a formal application that asks them to

- 1) provide contact information,
- 2) provide information on educational background, history of employment, or other use of time (including volunteerism, assistance to family members, or other activities).
- 3) explain basis for interest in serving on the board, committee, or commission for which application is filed,
- 4) respond to qualifications and background criteria as set forth in the “guiding principles” portion of this policy and any other specific state or local requirements applicable to the position for which appointment is sought,
- 5) address any potential actual or perceived conflict of interest (including those relating to financial interests and relationships to others employed by the town in areas relating to the position for which appointment is sought),
- 6) summarize information on prior service and history on boards, committees, commissions, or similar entities on Nantucket or elsewhere,
- 7) comment on ability to serve given time demands and competing obligations or commitments,
- 8) offer any additional information the applicant wishes to have considered.

b. Appointment process

i. Timing

- 1) *Annual Appointment Schedule*. Ordinarily, appointments are made commencing during the month of April, with appointments taking effect on July 1.
- 2) *Additional Appointments*. On rare occasions, the Select Board may make appointments at other times of the year, should a vacancy arise mid-year, when deemed necessary and important, and in doing so will follow the procedures set forth in this policy statement.

1 ii. Hearings.

2 1) *Hearings Required.* The Select Board will hold public hearings in order to review
3 candidates for appointment to boards, committees and commissions under its
4 jurisdiction.

5 2) *Purposes of Hearings.* Such public hearings serve several functions, including the
6 following:

- 7 a) providing the Select Board with additional insight about applicants' qualifications
8 through interaction with those applicants;
9 b) allowing the public to offer salient information and ask written questions to be
10 submitted to the Select Board for use in raising questions at public hearings and in
11 evaluating applicants' qualifications; and
12 c) assuring the public that appointments to positions in local government are made in
13 a fair and impartial manner that focuses on candidates' background and
14 qualifications rather than other extraneous factors, and to foster transparency by
15 assuring that deliberations take place in public rather than out of the public eye.

16 3) *Hearing Process*

- 17 a) *Names and Dates.* The Select Board will arrange for names of candidates and dates
18 and times of relevant public hearings to be publicized through the town website,
19 meeting agendas, and other appropriate means so that this information is known at
20 least a week in advance of such hearings;
21
22 b) *Questions and Input from Members of the Public.* Interested members of the public
23 will be invited to assist the Select Board by submitting in writing questions,
24 concerns, or comments about individual candidates for consideration by the Select
25 Board and for the Select Board's use in posing questions to the candidates for
26 appointment during public hearings. Members of the public are encouraged to
27 focus such questions on criteria listed in this policy regarding to candidates'
28 background and qualifications. Questions and comments from the public regarding
29 potential appointments will be transmitted through this system of written questions
30 to be raised at the discretion of members of the Select Board during related

1 hearings, rather than being raised in person by members of the public speaking
2 directly about individual candidates' background and qualifications during hearings.

3
4 c) *Framework for Hearing.* Members of the Select Board will ask each candidate during
5 the pertinent public hearing to address each aspect of their background and
6 qualifications as set forth in this policy and in their application and to respond to
7 further questions, including questions and comments received in writing from
8 members of the public, as individual Select Board members believe warranted.

9
10 d) *Affirmation of Review.* In order to vote to fill a particular vacancy, each member of
11 the Select Board will confirm that they participated in the pertinent public hearing
12 or watched the video of that public hearing.

13
14 4) *Decision process*

15 a) *Discussion of Priorities.* Prior to voting, the Select Board will discuss individual
16 members' views on priorities and considerations in filling specific vacancies, without
17 necessarily discussing individual candidates by name.

18 b) *Individual Ballots and Confirmation.* Members of the Select Board will then
19 individually cast ballots for their preferred candidates and will affirm their votes
20 when read aloud by staff.

21 c) *Ties.* In the event of a tie vote, the Select Board will cast another round of ballots
22 and affirm their votes in a similar fashion.

23
24 5) *Seating of designated candidates*

25 a) *No Vested Interest.* Candidates receiving a majority vote for appointment have no
26 vested interest in such appointment until they have been sworn in by the Town
27 Clerk or his/her designee.

28 b) *Swearing In.* Candidates will be sworn in no sooner than 14 days after the vote of
29 the Select Board identifying them as an appointee-designate.

1
2 2. **Updated Board Handbook.** The Nantucket Select Board commits to work with staff and community
3 members to implement the policy statement on appointments by updating and publishing an
4 updated Board Handbook no later than December 31, 2020. The Board Handbook will include at
5 least the following information:

- 6
7 a. Functions and Responsibilities. A clear explanation of the functions and responsibilities for each
8 board, committee, or commission
9 b. Expectations re Attendance. A statement explaining expectations regarding regular attendance,
10 and the consequences of failure to maintain regular attendance;
11 c. Remote Participation. The circumstances under which remote participation in meetings may be
12 allowed;
13 d. Conflict of Interest Requirements. Information on conflict of interest requirements (including
14 those addressed by Massachusetts G.L. Ch. 285A, related to giving and receiving gifts and
15 gratuities, financial interests in contracts, self-dealing and financial interests, appearances
16 before town boards, and codes of conduct), other relevant laws and regulations, and associated
17 resources.
18 e. Recusal. The circumstances in which recusal is required and the nature of recusal;
19 f. Open Meetings and Public Records. Information on open meetings and public records
20 requirements and associated resources;
21 g. Other Town Policies. Information on other town policies and codes of conduct; and
22 h. Other Information. Such other information as the Select Board deems appropriate.

23
24 3. **Referral for Issues for Further Consideration.** The Nantucket Select Board will refer to the Town
25 Government Advisory Committee the following questions and request that the Committee consult
26 with community members and civic groups to prepare and submit a report responding to these
27 requests by no later than December 31, 2020.

- 28
29 a. Periodic Review. Should the Town and County of Nantucket adopt a system for periodic
30 review of appointed advisory boards, committees, and commissions to determine whether
31 such boards and commissions are functioning effectively, should receive revised charges, be
32 combined, or eliminated?

- 1
- 2 b. Designated Expertise for Some Seats on Some Boards. In order to increase their efficacy in
- 3 carrying out their legal and policy responsibilities, should a certain number of seats on
- 4 specific of town boards, committees, or commissions (other than those involving cross-
- 5 appointments from other boards, committees, or commissions) be designated to be filled by
- 6 individuals with specific professional or personal expertise (for example in environmental
- 7 science, financial practices, housing and real estate, health and safety, or other fields)?
- 8 Should one or more seats be designated for appointment of community members who do
- 9 not have professional or personal expertise in matters within the purview of a particular
- 10 board, committee, or commission in order to guard against conflicts of interest and assure
- 11 broad public perspectives are brought to bear?
- 12
- 13 c. Service by Town and County Employees. Should limits be imposed on the appointment of
- 14 Town employees to particular advisory or regulatory boards, committees, or commissions
- 15 where such boards, committees, or commissions have authority that directly relates to the
- 16 employee's job responsibilities and authority?
- 17
- 18 d. Elected versus appointed. Should members of certain boards, committees, and
- 19 commissions be elected rather than appointed?
- 20
- 21 e. Number of Concurrent Appointments. Should a limit be placed on the number of boards,
- 22 committees, and commissions on which a single individual may be appointed to serve
- 23 contemporaneously (other than by cross-appointment from other government boards as a
- 24 means of fostering coordination), and if so, what limit might be appropriate?
- 25
- 26 f. Term Limits. Should a limitation be placed on the uninterrupted duration of one individual's
- 27 service on a particular board, committee, or commission, and if so, what should that
- 28 duration be, and what waiting period might be appropriate before such individual could be
- 29 appointed to a subsequent term?
- 30

- 1 g. Other Changes. Should other changes be made to current practices regarding appointment
- 2 of individuals to advisory or regulatory boards, committees, and commissions under the
- 3 jurisdiction of the Town or County of Nantucket?

Town and County of Nantucket

Select Board • County Commissioners

Dawn E. Hill Holdgate, Chair
Jason Bridges
Matt Fee
Kristie L. Ferrantella
Melissa Murphy



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C. Elizabeth Gibson
Town & County Manager

June 24, 2020

RE: Select Board Pledge to the Nantucket Community

Dear Nantucket Community,

Many in our community are experiencing grief and pain as we watched the senseless and tragic deaths of George Floyd, Ahmaud Arbery, and Breonna Taylor. To watch the action and inaction of officers is nothing short of horrifying. These events have exposed deeply entrenched systemic racism in our country and our community.

We respect those who choose to protest in peace and are committed to do all we can to stand with the black community, as well as other minorities, to ensure that we do the work to make Nantucket a more just and equitable community for all its constituents. As we look to build a better future, we must learn from our history. We are committed to take action now - to have the conversations, investigate our systems to understand and address the discrimination that may be subtle or over, and to make meaningful change to create a safer, more equitable community for all our residents.

Today, we make the following pledge and commitment, inspired by the Massachusetts Municipal Management Association Task Force on Diversity and Inclusion:

- We stand with those who are calling out police brutality, ingrained racism and violence toward people of color in our country;
- We commit as leaders to strengthen the trust in our community by making sure that we hire police officers and team members who reflect the values of integrity, compassion and respect for the diversity of all individuals;
- We commit to listening to and proactively responding to community concerns when they arise;
- We stand with our police officers and team members who demonstrate these high moral values every day;
- We share in the anger and sadness our community members are feeling, we are channeling those feelings to work toward a better future for the residents of our community and generations to come;
- We commit to continuing to be active participants in working hard to educate, train and effect change in our organizations and throughout the community;

- We commit to find further information on what policies, training and practices are in place in Massachusetts related to fair and impartial policing and identification of areas for improvement to strengthen the trust in our communities for our team members to participate in.

In addition, we are committed to taking other critical actions to improve our community:

- Develop an Equity/ Diversity Office in Town Administration - a cabinet level position whose focus will be to ensure equitable service delivery in the community and help us move forward with our new objectives;
- Create a new system for community members and staff to report racist or discriminatory incidents;
- Ongoing professional development training for our staff and volunteer board/commission members on racial identity, implicit bias and racial equity;
- Create a Diversity, Equity and Inclusion Strategic plan to assess our current practices, policies and procedures as well as to overall agency culture - this plan will have both short-term and long-term goals;
- Create a Diversity Advisory board who will focus on 8 key areas: language access; family support, public safety, economic opportunity, infrastructure and livability, and health and wellness.

Nantucket has always been a community noted for its courage. As we face the difficult realities together, we are confident that we will be successful in creating a community where all our residents can feel safe and welcome.

Town of Nantucket Select Board

Dawn Hill Holdgate, Chair
Jason Bridges, Vice Chair
Matt Fee
Kristie Ferrantella
Melissa Murphy